

# Transrespect versus Transphobia

The social experiences of Leitis in the Kingdom of Tonga

| Edited by Joleen Mataele and Carsten Balzer/Carla LaGata



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A banner, resulted from a TvT training |  
(Trans Rights Activism Workshop,  
Darwin, Australia, May 2014)



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in the Kingdom of Tonga

### | Edited by

Joleen Mataele and Carsten Balzer/Carla LaGata  
TvT Publication Series Vol. 10

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The image on the front page resulted from a TvT training (Trans Rights Activism Workshop, Darwin, Australia, 13-14 May 2014), in which 35 trans activists from indigenous Australia, Australia, Aotearoa/New Zealand, Fiji, Germany, the Philippines, Thailand and Tonga participated.

You can support the Transrespect versus Transphobia Worldwide project with a donation:  
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## | Acronyms

|             |   |
|-------------|---|
| APTN        | Asian-Pacific Transgender Network   |
| FTM         | Female-to-male  |
| GID         | Gender identity disorder<br>(diagnostic category)   |
| GRS/T       | Gender reassignment surgery/treatment   |
| ICRSE       | International Committee on the Rights of<br>Sex Workers in Europe                             |
| IDAHOT      | International Day against Homophobia,<br>Biphobia and Transphobia                             |
| IGLYO       | International Lesbian, Gay, Bisexual,<br>Transgender, Queer Youth and Student<br>Organisation |
| ILGA        | International Lesbian, Gay, Bisexual,<br>Trans and Intersex Association                       |
| LGB/T/I/Q/H | Lesbian, gay, bisexual/trans/intersex/<br>queer/heterosexual                                  |
| MSM         | Men who have sex with men   |
| MTF         | Male-to-female  |
| NGO         | Non-governmental organisation   |
| OHCHR       | Office of the United Nations High<br>Commissioner for Human Rights                            |
| SOGI/E      | Sexual Orientation and Gender Identity/<br>Gender Expression                                  |
| SRS         | Sex-reassignment surgery  |
| STRAP       | Society of Transsexual Women of the<br>Philippines  |
| SWAN        | Sex Workers' Rights Advocacy Network  |
| TDOR        | International Transgender Day of<br>Remembrance   |
| TGA         | Thai Transgender Alliance   |
| TGEU        | Transgender Europe  |
| TLA         | Tonga Leiti Association   |
| TMM         | Trans Murder Monitoring   |
| TVT         | Transrespect versus Transphobia<br>Worldwide  |

| Details of the banner, result of a TVT training (Trans Rights Activism Workshop, Darwin, Australia, May 2014)



# Terminology

Due to the great variety of concepts and self-definitions used by different communities around the world, we use the two established terms, 'trans people' and 'gender-diverse people', often simultaneously. We are aware of the challenges in using these terms, as they originated in Western discourses, in which binary gender/sex concepts are assumed as the norm.

In the context of the TvT research project and this report, **trans people** and **gender-diverse people** include those with a gender identity that is different from the gender they were assigned at birth, and those who wish to portray their gender in a way that differs from the gender they were assigned at birth. Among them are those people who feel they have to – or who prefer or choose to – present themselves in a way that conflicts with the social expectations of the gender role assigned to them at birth, whether they express this difference through language, clothing, accessories, cosmetics or body modification. These include, among many others, transsexual and transgender people, trans men and trans women, transvestites, cross-dressers, no-gender, liminal-gender, multigender and genderqueer people, as well as intersex people who relate to or identify as any of the above. Also included are those who identify with local, indigenous or subcultural terms – such as *Leitis* in Tonga – and relate to the terms 'trans people' or 'gender-diverse people', for instance in international activist contexts. Further included are those people in non-binary gender-systems who were raised in a different gender than male or female and who self-identify as trans people or gender-diverse people in international contexts.

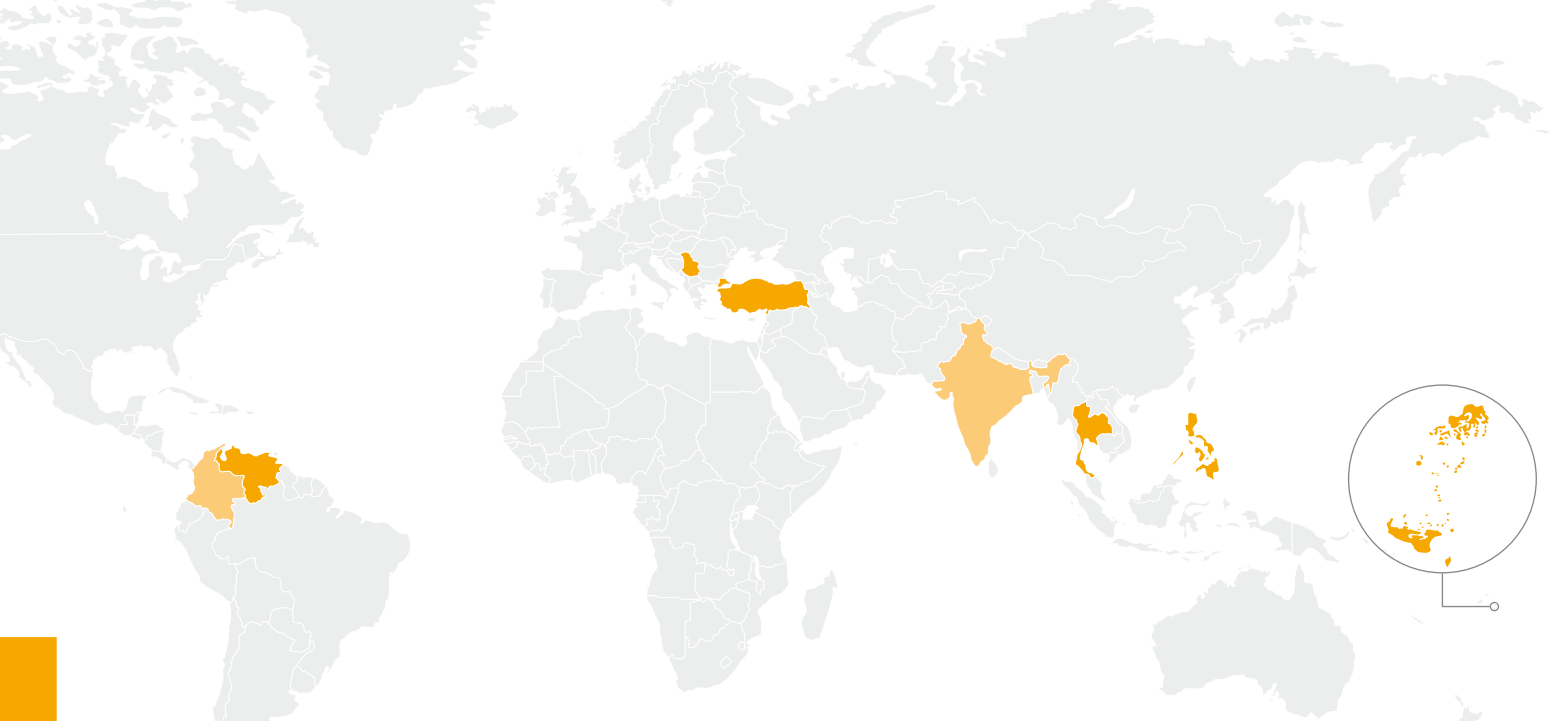
**'Transphobia'** and **'Transrespect'** are the guiding terms in this project: they encompass a spectrum from violence, discrimination and negative attitudes towards gender-diverse/trans people on the one hand to recognition, acknowledgement and respect on the other. It is necessary to investigate both of these poles in order to develop viable analyses and politics related to trans activism. To underline the significance and specific meanings of these terms in the context of this report, we spell them in capital letters throughout.

We use the term **Transphobia** to denote forms of violence, discrimination, hatred, disgust, aggressive behaviour and negative attitudes directed at individuals or groups who transgress or do not conform to social expectations and norms around gender. This includes institutionalised forms of discrimination, criminalisation, pathologisation and stigmatisation and manifests in various ways, ranging from physical violence, hate speech, insults and hostile media coverage to forms of oppression and social exclusion. Transphobia particularly affects gender-diverse/trans people. It operates together with further forms of power and violence and entails contextualised engagements. Used in the social sciences to denominate a complex social phenomenon, it has acquired a much broader meaning than what is suggested by the term 'phobia', which is understood in psychology as an individual pathological response.

The term **Transrespect**, in the context of the TvT project, does not simply refer to the absence of any form of Transphobia; it is instead the expression of deep respect for and positive recognition of gender-diverse/trans people. It includes the acknowledgment of the unique or particular ways in which these people enrich society. Thus, Transrespect acknowledges the cultural and social benefits of gender non-conformity, gender liminality and gender diversity. It can manifest in individual behaviour as well as in the reproduction, transformation and creation of sociocultural formations, including institutional, cultural, social or religious roles. Transrespect can benefit not only certain individuals or minorities, but society as a whole.



| Trans activist from Botswana at an international trans manifestation in Barcelona (Spain), June 2010



# I. A Comparative View of the Experiences of Trans and Gender-diverse People in the Philippines, Serbia, Thailand, Tonga, Turkey and Venezuela, as well as parts of Colombia and India

Carsten Balzer/Carla LaGata and Jan Simon Hutta

## I.1 Introducing the TvT project, its international cooperation and the comparative survey

The comparative survey presented here emerged in response to the persistent need for evidence-based comparative data regarding the human-rights situation of trans and gender-diverse people. Complementing Transgender Europe's (TGEU) on-going Trans Murder Monitoring (TMM) and Legal and Social Mapping projects, it forms part of the international Transrespect versus Transphobia Worldwide (TvT) research project. When the first TMM results were published in *Liminalis – A Journal for Sex/Gender Emancipation and Resistance* in 2009, the great international resonance it elicited brought into sharp relief the acute need for systematic knowledge on the subject. This need was also articulated, at around the same time, during the 2<sup>nd</sup> LGBT Human Rights Conference of the OutGames in Copenhagen in 2009, when the then Commissioner for Human Rights of the Council of Europe, Thomas Hammarberg, presented an Issue Paper called *Human Rights and Gender Identity*.<sup>1</sup> The Issue Paper contains 12 'Recommendations to the Council of Europe member states', the last of which reads: 'Develop research projects to collect and analyse data on the human rights situation of transgender

persons including the discrimination and intolerance they encounter with due regard to the right to privacy of the persons concerned'.<sup>2</sup> The need for research on the human-rights situation of trans people is even more evident in many parts of the world outside Europe.

The advocacy network Transgender Europe (TGEU), which was established in 2005, has provided a great environment for gathering the expertise of trans activists from around the world. With its 85 member organisations in 42 countries and its organisational structure, it has facilitated the development of the TvT project, its research collaborations and its administrative implementation. With the assistance of dozens of partner organisations and experts in more than 100 countries throughout the world, as well as funding from the ARCUS Foundation (USA), the Open Society Foundations (USA) and the Heinrich Böll Foundation (Germany), TGEU has enabled the TvT project to produce knowledge on the human-rights situation of trans and gender-diverse people worldwide. In 2012, Charles Radcliffe, from the Office of the United Nations High Commissioner for Human Rights (OHCHR), commented: 'As in all issues of promoting rights of ostracized and marginalized people, the first step is to start putting the facts on the table. The *Transrespect versus Transphobia Worldwide* project is an important contribution to this end'.<sup>3</sup> Radcliffe referred to the TvT's Trans Murder Monitoring as well as the Legal and



Social Mapping, which provide comparative research data on the human-rights situation of trans and gender-diverse people in 140 countries worldwide.<sup>4</sup> > *Figure 1*

The present report complements these projects through in-depth, country-specific research on trans and gender-diverse people’s experiences with Transrespect and Transphobia. It is based on a survey questionnaire developed in 2010 and 2011 through an extensive review. Members of the international TvT Advisory Board from Africa, Asia, Central and South America, Europe, North America and Oceania helped ensure the questionnaire’s transcultural adequacy so that it could be used in all world regions. During a three-day Strategic Planning Meeting in Berlin in October 2011, representatives of trans /LGBT organisations from India (People Like Us), the Philippines (Society of Transsexual Women of the Philippines), Serbia (Gayten-LGBT), South Africa (Gender Dynamix), Tonga (Tonga Leiti Association) and Venezuela (DiverLex) met to discuss the peer-research concept and the distribution of the budget. While Gender Dynamix could not continue participating due to work overload, Pembe Hayat from Turkey joined in November 2011.<sup>5</sup>

In 2012, the *TvT Survey on the Social Experiences of Trans and Gender-diverse People* was conducted in the Philippines, Serbia, Turkey, Tonga and Venezuela, as well as parts of

### | TvT survey partners and country of implemented research

DiverLex | Venezuela and parts of Colombia

Gayten-LGBT | Serbia

Gender Dynamix | No research implementation

Pembe Hayat/Red Umbrella | Turkey

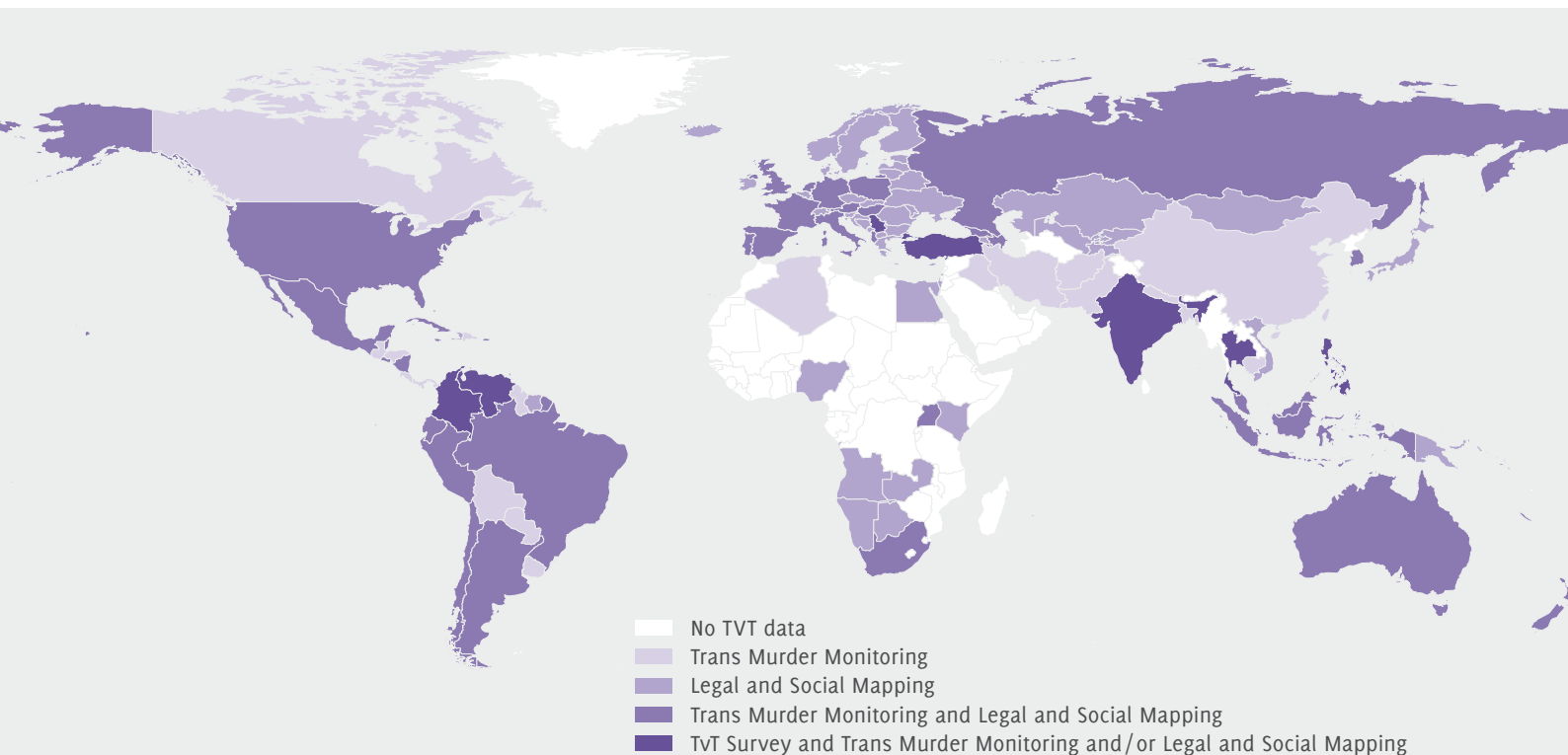
People Like Us | India (West Bengal)

Society of Transsexual Women of the Philippines | The Philippines

Thai Transgender Alliance | Thailand

Tonga Leiti Association | Tonga

India and Colombia, resulting in interviews with more than 660 trans and gender-diverse individuals. In 2014, the research was additionally implemented in Thailand, adding another 202 questionnaires to the already existing data, while People Like Us could not carry out this second research phase. The data analysis was conducted in 2014



**Figure 1 | Transrespect versus Transphobia Worldwide research project – Data from 140 countries worldwide**  
© EuroGraphics for the administrative boundaries (date of information July 2015)

and 2015. Unfortunately, the Venezuelan chapter could not be completed before the closing date and therefore could not be included in this report. However, the data from Venezuela and some additional data from parts of Colombia (the cities of Bogotá, Cali and Medellín and the state of Manizales) as well as from West Bengal in India are included in the comparative analysis presented later in this chapter.

The analysis of the 863 questionnaires from the Philippines, Serbia, Turkey, Tonga, Venezuela and parts of Colombia and India have revealed some surprising findings. These include the fact that for the vast majority of respondents in all countries, their gender identity is not recognised in their legal documents. Furthermore, the findings suggest a divergence between adult trans and gender-diverse people's experiences of Transrespect, on the one hand, and discrimination and violence during childhood and adolescence, on the other. Particularly worrying are the results in regard to the experiences of trans and gender-diverse children and teenagers at school: in most countries, between more than a third and almost half of respondents

reported that they experienced forms of sexual violence in school. The comparison of different religions in different countries shows that religious acceptance of trans and gender-diverse people cannot be attributed to the specific religions as such, but must be connected to the particular social and cultural contexts. Moreover, the study provides additional empirical data for issues that have long been addressed by activists, such as the intense forms of Transphobia in several social environments. Surprisingly, such forms of Transphobia also exist to some degree in countries that are perceived as rather trans-friendly and show moderate or even high levels of Transrespect, such as the Philippines, Thailand and Tonga. The survey furthermore demonstrates that police harassment and violence pose a persistent challenge in most countries, affecting trans sex workers in particular.

| From back row to front: Jan Simon Hutta (TGEU, Germany), Carla LaGata (TGEU, Germany), Naomi Fontanos (STRAP, the Philippines), Kristian Randelović (Gayten-LGBT, Serbia), Jana Mittag (Heinrich Böll Foundation, Germany), Tamara Adrián (Diverlex, Venezuela), Joleen Mataele (TLA, Tonga), Julia Ehrh (TGEU, Germany), Agniva Lahiri (PLUS, India), Whitney Quanita Booysen (Gender Dynamix, South Africa), at the panel presentation 'Trans Rights Are Human Rights!' after the TVT Strategic Planning Meeting in October 2011.



## 1.2 Methodology

The *TvT Survey on the Social Experiences of Trans and Gender-diverse People* combines activist data collection with the empowerment of local trans and gender-diverse people through peer research. This approach was discussed and substantiated among the collaborating project partners from Africa, Asia, Europe, Oceania and South America at the above-mentioned Strategic Planning Meeting in October 2011.

In what follows, we explain the design of the transcultural questionnaire and the peer-research methodology. We will then comment on the implementation of the survey and some specificities regarding individual countries.

### The transcultural questionnaire

The questionnaire used for the TvT survey is structured in nine domains:

1. General information
2. Family, friends and partners
3. Education
4. Labour market, job, earning one's living
5. Health-care
6. Legal and criminal justice systems
7. Religion
8. Society
9. Culture

These sections cover a wide range of topics in order to include issues that are highly pertinent in some countries (e.g. hormone treatment or sex work), even though they may not be as pertinent in others. Moreover, the items of all sections have been designed so as to be applicable as much as possible to the respective local and regional contexts. For this purpose, a draft version of the questionnaire was reviewed by TvT's international Advisory Board, which consists of more than 20 experts from all world regions. During the 2011 Strategic Planning Meeting, the questionnaire was revised a last time, resulting in the final version agreed on by all project partners who participated in the meeting.

Various items demanded special attention in order to be transculturally adequate. These ranged from the listing of major religions (Item 1.9) to the use of formulations such as 'How do you currently earn your living?' (Item 1.11) rather than assuming that income is generated through formal 'employment'. Moreover, formulations like 'identity' rather than 'gender identity' were chosen in order to avoid addressing participants in a language specific to (Global North-shaped) academic and political discourses.

It was also important to account for the variety of gender identities, including identities based on binary conceptions of femininity and masculinity and non-binary and third-gender conceptions. Item 1.13, in the General section, gives a range of gender identities as well as open-reply options. It specifies several MTF and FTM identities that in one way or another presuppose the binaries of male and female, alongside 'Other' – third sex/gender, non-gendered, gender-queer, indigenous/local identities and other – identities.

All sections combine quantifiable reply options and prompts for open answers. Sections 2 to 9 also include prompts for longer, narrative replies suitable for qualitative analysis, for instance item 3.4, 'Did you ever receive special forms of respect and acknowledgement from teachers because of your identity?', or item 4.2., 'Have you ever lost your job because of your identity?'

### The empowering peer research

The survey concept involving the intended empowerment of research participants is based on peer-research approaches developed in response to distanced and objectifying forms of knowledge production. In particular, it has been adapted in modified form from the *People Living with HIV Stigma Index* developed in the Global South.<sup>6</sup> The TvT survey is not meant to be an abstract academic exercise done 'to' trans and gender-diverse people's communities; it is rather intended to embrace all those involved in a participatory spirit. Trans and gender-diverse people have been and will continue to be at the centre of the process as interviewers and interviewees, and are in charge of how the information is collected, analysed and used.

In this approach, survey participants are interviewed by peers and, apart from sharing their experiences, they also have the possibility of gaining new knowledge. For this purpose, all project partners were trained in how to conduct peer research and best distribute relevant knowledge to the interviewers. The interviewers were trained in interviewing and in facilitating participatory group discussions. They received guidance on dealing with difficult emotional situations and referring people for counselling or further sources of advice and information. These important skills may be of use to the interviewers in the future if they are (or wish to become) involved in similar projects or other research studies. For example, in Thailand training participants received signed certificates after completing the training for use at universities or in similar contexts.

The training and the survey as a whole thus aimed to empower interviewers and participants through the interviews and their active inclusion in the research process. One of the respondents in Serbia, a trans woman, stated that it was very important for her to participate in the survey and that she knows her statements and examples are important and helpful not only for herself, but also for her trans brothers and sisters.

A key principle of the interactive empowerment approach is that the survey is conducted by peers, i. e. other trans and gender-diverse people. While it is impossible for the interviewer to assume 'full' peer status in terms of age, social status, race, class, region or specific gender identity, the fact that all interviewers identified as trans or gender-diverse was vital in promoting an atmosphere of confidence and mutual trust. In particular, all interviewers were associated with activist organisations that provide spaces for the concerns of trans and gender-diverse people from different backgrounds.

Another principle, the combination of gathering information and sharing knowledge, meant that interviewers distributed information regarding where trans and gender-diverse people can receive support and how they can partake in political processes concerning the issues at stake. At the same time, the activists conducting the interviews were trained as interviewers and observers and became active listeners.

### Analysis and composition of data

The analysis aims to provide a comparative overview of experiences of Transrespect and Transphobia in each of the particular domains. It seeks to identify which aspects in the wide range of domains examined are especially positive or problematic and in need of political attention. It also seeks to foster insights into the extent to which experiences can be associated with factors like a certain religion, or the extent to which they ensue from the particular ways in which such issues are articulated in different contexts. The country-specific analyses moreover focus on issues deemed particularly relevant in the respective contexts. They also contextualise the findings in light of other studies and the specific political, legal and social situation.

To organise and process the data for analysis, TGEU contracted a professional analyst, Eva Fels from the Austrian trans organisation Trans X, who designed tools and introduced project partners to their use at a TvT team meeting in Budapest in April and May 2014. The country-specific data analysis was conducted in cooperation between TGEU and the partners and discussed at several

TvT team meetings in 2014 (Budapest, Darwin, Mexico City). The editors conducted the comparative analysis in 2015.

The size of data sets assembled by project partners through the participatory peer research varies from country to country. In Colombia and Serbia (24 and 28 questionnaires, respectively), the numbers are lowest, although their disparate population sizes – Colombia has 48 million inhabitants, as compared Serbia's 7 million – need to be kept in mind. The number of 104 questionnaires in the Philippines is also at the lower end of the scale in view of the country's population of 98 million. Numbers are moderate in Thailand, with 202 questionnaires (67 million inhabitants); in Turkey, with 109 questionnaires (75 million inhabitants); in Venezuela, with 89 questionnaires (30 million); and in West Bengal, with 199 questionnaires (91 million). In Tonga, 108 questionnaires were completed, a very large number, given its population of 103,000. Among the reasons for the variations in the size of data sets, apart from the countries' respective sizes, are the differences in accessibility of the countries' regions and, importantly, in the visibility of trans and gender-diverse people. Their visibility is particularly low in Serbia, whereas in the other countries it is fairly high.

The present report focuses on the quantitative items of the survey to enable a comparative overview. Here, we would especially like to acknowledge Eva Fels' great contribution and commitment to processing the data in order to make a comparative analysis possible. The country chapters also include some discussions of qualitative items, which can be further interpreted in future analyses. In the country chapters, the quantitative data is complemented by responses from the open questions and/or further information from local activists.

The survey results for individual countries will be published in each participating country, alongside this comprehensive report, as well as in the TvT Publication Series (see Appendix). The project partners thus have the opportunity to focus and elaborate on acute political concerns. They have decided to organise events with stakeholders, politicians or other NGOs to launch and present the country reports in their respective countries.

The way the interviews were carried out in the local contexts differed from country to country. While in most countries the organisations implementing the survey followed the face-to-face peer-interview approach, in Tonga the questionnaires were filled out in a guided collective session in the capital, Nuku'alofa. This modification was owed to the fact that the Kingdom of Tonga encompasses 176 islands, of which 36 are inhabited, and that travel is either extremely time consuming (by sea) or expensive (by air).

## 1.3 Comparative Results

The data sample analysed for this report is based on 863 completed survey questionnaires from the Philippines (104), Serbia (28), Thailand (202), Tonga (108), Turkey (109) and Venezuela (89). It also includes questionnaires from parts of Colombia (24), i.e. the cities of Bogotá, Cali and Medellín and the state of Manizales, as well as the state of West Bengal in India (199). It needs to be noted that several items in the survey were responded to by only some of the participants. In part, this is due to the fact that some questions followed up on other questions and became irrelevant if the previous questions had been answered in the negative. We have added endnotes to indicate the cases in which only some of the participants responded to a given question. The country chapters provide more detail regarding the share of respondents who answered given questions.

### Age and migration

The average age of all participants was 28.5 years, varying strongly across the countries. For example, while the average in Thailand and India (West Bengal)<sup>7</sup> was 25.5 years, with 75 per cent and 68 per cent of respondents, respectively, under the age of 23, in Turkey it was 35, with only 5 per cent under 23, but 38 per cent over 35. > [Table 1](#)

Table 1 | Age

|         | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|---------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Average | 27.5        | 30.5   | 25.5     | 28.0  | 35.0   | 28.9      | 26.8     | 25.5                |
| < 23    | 59%         | 19%    | 75%      | 38%   | 5%     | 53%       | 63%      | 68%                 |
| 24 - 27 | 17%         | 22%    | 11%      | 19%   | 11%    | 15%       | 17%      | 18%                 |
| 28 - 30 | 16%         | 19%    | 6%       | 9%    | 14%    | 15%       | 8%       | 9%                  |
| 31 - 35 | 9%          | 15%    | 8%       | 14%   | 32%    | 18%       | 13%      | 6%                  |
| > 35    | 0%          | 26%    | 0%       | 20%   | 38%    | 0%        | 0%       | 0%                  |

Table 2 | Residence and migration

|                            | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|----------------------------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Born in country            | 98%         | 100%   | 96%      | 99%   | 96%    | 96%       | 100%     | 95%                 |
| Raised in current location | 84%         | 56%    | 72%      | 93%   | 62%    | 60%       | 63%      | 81%                 |

Table 3 | Gender identity

|             | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|-------------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Trans women | 78%         | 36%    | 89%      | -     | 86%    | 80%       | 96%      | 95%                 |
| Trans men   | 13%         | 64%    | 1%       | -     | 8%     | 20%       | 4%       | 1%                  |
| Other       | 3%          | -      | 8%       | 100%  | 6%     | -         | -        | -                   |
| No answer   | 6%          | -      | 2%       | -     | -      | -         | -        | 4%                  |

The vast majority of all participants were born in the respective countries, ranging from 95 per cent in India to 100 per cent in Colombia and Serbia.<sup>8</sup> Furthermore, the majority of all participants lived in the city, village or island where they were born and raised, ranging from 56 per cent in Serbia to 93 per cent in Tonga. > [Table 2](#)

Details regarding migration and the reasons for migration can be found in the country chapters.

### Gender identity and expression

As explained above, the questionnaires also included questions regarding the respondents' specific gender identity. With the exception of Serbia, where 64 per cent identified as FTM, overall trans women and female-identified trans and gender-diverse people (the local identity Leiti in Tonga) are prevalent. The share of trans women and female-identified trans and gender-diverse people ranged from around 80 per cent in the Philippines and Venezuela to 96 per cent in Colombia and Tonga, respectively. > [Table 3](#)

There might be two major reasons for the predominance of trans women and female-identified trans and gender-diverse people. On the one hand, with the exception of Serbia, in all countries the research was implemented by organisations dominated by female-identified trans and gender-diverse people, who have better contacts to these

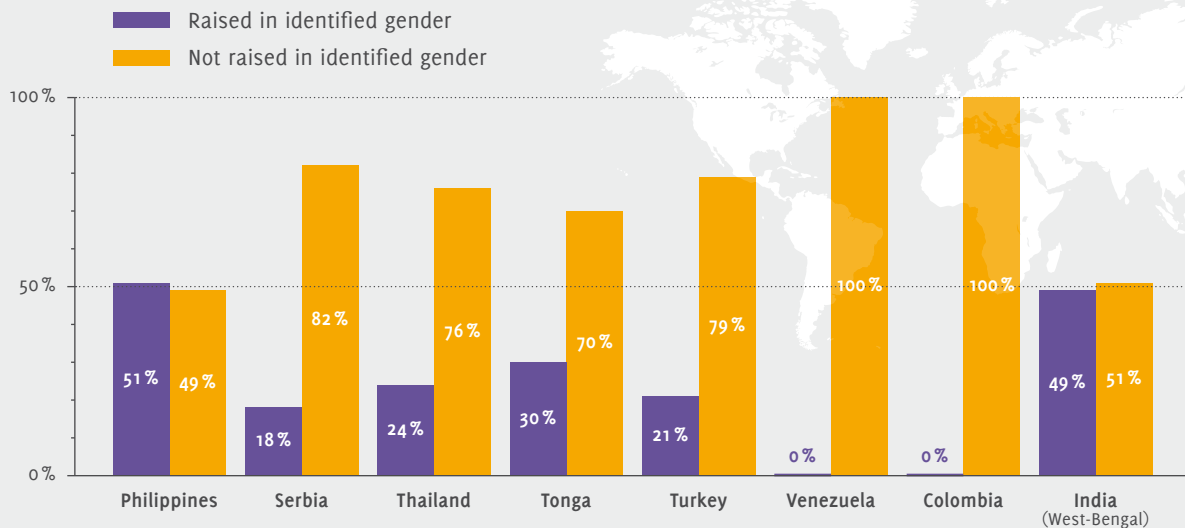


Figure 2 | Live in preferred gender

communities. On the other hand, in many countries female-identified trans and gender-diverse people are more visible than male-identified trans and gender-diverse people, which may facilitate outreach. Still, the lack of male-identified trans and gender-diverse people's voices in the TvT survey poses a challenge to the interpretation of the findings and must be addressed in future research.

The question of whether respondents were raised in the gender identity they now identify with resulted in some expected and some unexpected results. While all participants in Colombia and Venezuela stated that they were not raised in the gender they now identify with, and while more than two-thirds stated the same in Serbia, Turkey, Thailand and Tonga, in India (West Bengal) and the Philippines only half of the respondents stated that they were not raised in the gender they now identify with. > Figure 2

A more homogeneous result ensued from the question of whether respondents live in the gender they identify with. The vast majority of all respondents in all countries except India (West Bengal) stated that they always or often live in the gender they identify with: 96 per cent in Thailand, 95 per cent in Turkey, 94 per cent in Venezuela, 92 per cent in Colombia and Tonga, 90 per cent in the Philippines and 86 per cent in Serbia. In India (West Bengal), only 51 per cent of respondents said the same,

while 11 per cent stated that they never live in the gender they identify with. > Table 4

### Legal gender recognition

In stark contrast to these findings, the question of whether the gender the participants identify with is reflected in their identity documents was mostly answered in the negative. While a vast majority in all countries except India (West Bengal) said that they always or often live in the gender they identify with, for a vast majority in all countries except Serbia, this gender is not recognised in their legal documents. In Colombia and Venezuela, 100 per cent; in Tonga, 99 per cent; in Thailand, 97 per cent; in India, 96 per cent; in the Philippines, 94 per cent; in Turkey, 82 per cent; and in Serbia, 62 per cent of all respondents stated that their gender identity is not legally recognised. > Figure 3

This finding not only highlights the need for legal gender-recognition legislation in the Philippines, Thailand, Tonga, Serbia<sup>9</sup> and Venezuela, but it also raises questions regarding the practical application of legal gender-recognition legislation in India (West Bengal) and Turkey. Fortunately, in June 2015 Colombia's Ministry of Justice and the Ministry of the Interior signed a decree that eliminates the need for psychiatric or physical examinations to prove

Table 4 | Live in preferred gender

|           | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|-----------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Always    | 85%         | 67%    | 94%      | 91%   | 89%    | 82%       | 88%      | 44%                 |
| Often     | 5%          | 19%    | 2%       | 1%    | 6%     | 12%       | 4%       | 17%                 |
| Sometimes | 9%          | 11%    | 2%       | 3%    | 4%     | 4%        | 8%       | 14%                 |
| Rarely    | 0%          | 4%     | 0%       | 2%    | 1%     | 1%        | 0%       | 14%                 |
| Never     | 1%          | 0%     | 1%       | 4%    | 1%     | 0%        | 0%       | 11%                 |

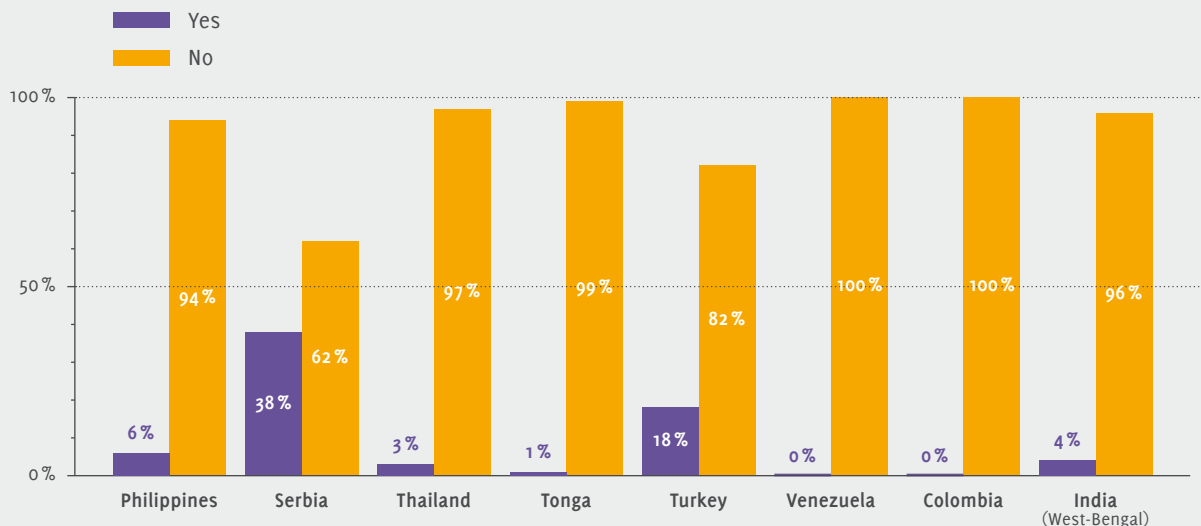


Figure 3 | Gender recognised in documents

an individual's gender identity, thereby simplifying the process of legally changing one's gender. On 9 June 2015, the first ten Colombian trans people took advantage of the new rules.<sup>10</sup> Further details, e.g. regarding the effects of the lack of legal gender-recognition legislation or the problems with existing legislation, can be found in the country chapters.

### Experiences in school

All or almost all respondents had some kind of formal school education, with some exceptions in the Philippines (87 per cent), Tonga (90 per cent) and Thailand (92 per cent).

The analysis of the respondents' school experiences reveals some worrisome trends in all countries. In more than half of the countries (Philippines, Turkey, Serbia, Venezuela, Colombia), a third to half of respondents said that they found it hard to change classes or schools due to negative experiences involving their identity. In Tonga, only 2 per cent stated that it was hard to change classes or schools, while in Thailand and India (West Bengal), 10 per cent and 19 per cent, respectively, stated the same. Disrespect from their teachers due to their gender identity was experienced by a third or more of respondents in Venezuela, Serbia and Colombia. In Colombia, 22 per cent stated that they experienced violence from their teachers due to their identity, in India (West Bengal) and the Philippines 13 per cent did so and in Venezuela 9 per cent, followed by Tonga (6%), Thailand (5%), Serbia (4%) and Turkey (2%).

While this question was not explicitly included in the survey, it is important to note that not all participants expressed their preferred gender while at school, and the question of when participants started to express their

identity within their family sheds some light in this regard. While for Colombia, the Philippines, Thailand and Tonga, the average age ranged from 9.6 (Thailand) to 10.7 (Tonga), in India (West Bengal) the average was 12.1, and in Venezuela 13.6. In Serbia and Turkey, the average age participants gave was 16.5 and 17.5, respectively. The author of the Turkish country report also mentions that many trans people in Turkey are forced to quit school. One of the respondents in Serbia stated that they changed schools because they were sexually abused at the first school they attended. In the Philippines, conservative Christian school policies require pupils to wear gendered uniforms.

The figures regarding bullying by other students because of one's identity are extremely worrisome: in more than half of the countries, between half and almost all respondents stated that they experienced bullying. In Colombia, 92 per cent experienced bullying at school, followed by Venezuela (78%), the Philippines (72%), Turkey (61%) and Serbia (50%). In India (West Bengal) 37 per cent stated that they were bullied, in Thailand 27 per cent and in Tonga 8 per cent.

With the exception of Thailand, in all countries a quarter to two-thirds of respondents stated that they experienced physical attacks by other students due to their identity. In Colombia, 67 per cent said that they were physically attacked by other students, followed again by Venezuela (47%), India (West Bengal) (32%), Turkey (31%), Tonga (28%), Serbia (22%) and the Philippines (22%). Again, the late age at which trans people in Serbia and Turkey in particular might have started to express their identity needs to be kept in mind. Even more worrisome are the figures regarding the experiences of sexual violence at school. In India (West Bengal) and Colombia, almost half of the respondents stated that they experienced sexual

**Table 5 | Discrimination at school**

|  | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|--|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Formal education                         | 87%         | 100%   | 92%      | 90%   | 98%    | 100%      | 100%     | 100%                |
| Difficulties in changing schools/classes | 30%         | 34%    | 10%      | 2%    | 33%    | 42%       | 54%      | 18%                 |
| Disrespect by teachers                   | 24%         | 32%    | 12%      | 4%    | 18%    | 31%       | 42%      | 22%                 |
| Violence by teachers                     | 13%         | 4%     | 5%       | 6%    | 2%     | 9%        | 22%      | 13%                 |
| Bullying by students                     | 72%         | 50%    | 27%      | 8%    | 61%    | 79%       | 92%      | 37%                 |
| Violence by students                     | 22%         | 25%    | 8%       | 28%   | 31%    | 47%       | 67%      | 32%                 |
| Sexual violence                          | 35%         | 4%     | 29%      | 13%   | 23%    | 29%       | 46%      | 48%                 |

violence from other students due to their identity, followed by the Philippines, Venezuela and Thailand, where up to a third of all respondents did so. In Tonga, where 8 per cent of the respondents reported experiences of sexual violence at school, one of the respondents explained that she was often forced to have intercourse by the older boys. Another declared that she was forced to perform oral sex in the dormitory.

In sum, the survey indicates the strong need to consider the experiences of trans and gender-diverse people at school. Given the high levels of Transrespect in Tonga (see below), for instance, the high number of experiences of physical attacks and sexual violence in school in that country are particularly worrisome. Experiences at school are discussed at length in the chapters on the Philippines and Tonga. Moreover, violent and discriminatory behaviour by teachers and other students might also be part of the reason that many trans and gender-diverse people start to express their identity only during late adolescence in other contexts like the family, especially in Serbia and Turkey. > [Table 5](#)

### Experiences with jobs and paid work

Another strong variance across countries can be observed in regard to experiences in the labour market. In response to whether participants earn their living through paid work, affirmative answers range from 33 per cent in India (West Bengal) and 42 per cent in Colombia to 78 per cent in Tonga and 88 per cent in Turkey. Interestingly, several participants from the Philippines reported being especially

appreciated by their family members because they support their families financially. In Colombia, 87 per cent of respondents stated that they have been refused employment often or once or twice because of their gender identity; in Venezuela, 84 per cent said the same, and in Turkey 52 per cent, but in Tonga only 4 per cent have had this experience. In Serbia, where 11 per cent of the respondents reported such experiences, one of the respondents explained that the fact that their gender marker does not match their appearance repels most employers.

The question of whether respondents have ever lost their job because of their gender identity was answered in the affirmative by 39 per cent of respondents in Turkey and 19 per cent in Venezuela, but by only 5 per cent in Tonga and 2 per cent in Thailand. Employment support, for instance in the form of training, was received by 41 per cent of respondents in the Philippines, 36 per cent in India (West Bengal) and 30 per cent in Tonga, but only 1 per cent in Venezuela and none in Colombia.

These experiences may also be reflected in the number of trans and gender-diverse people who earn their money through sex work. Ninety-nine per cent of respondents in Colombia, 76 per cent in Turkey, 68 per cent in Venezuela and 47 per cent in the Philippines, but only 21 per cent in Tonga and 14 per cent in Serbia, stated that they earn their living by doing sex work. > [Table 6](#)

The large number of sex workers in Colombia, Venezuela and Turkey may relate to the high level of discrimination in the labour market, as well as to the extremely worrying degree of violence and discrimination faced by trans and gender-diverse people at school. As

**Table 6 | Discrimination at job**

|                    | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|--------------------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Paid work          | 55%         | 46%    | 54%      | 78%   | 88%    | 61%       | 42%      | 33%                 |
| Employment refused | 40%         | 11%    | 22%      | 4%    | 52%    | 84%       | 87%      | 12%                 |
| Lost job           | 11%         | 12%    | 2%       | 5%    | 39%    | 18%       | 11%      | 0%                  |
| Sex work           | 47%         | 14%    | 37%      | 21%   | 76%    | 68%       | 95%      | 26%                 |
| Employment support | 41%         | 8%     | 16%      | 30%   | 2%     | 1%        | 0%       | 36%                 |



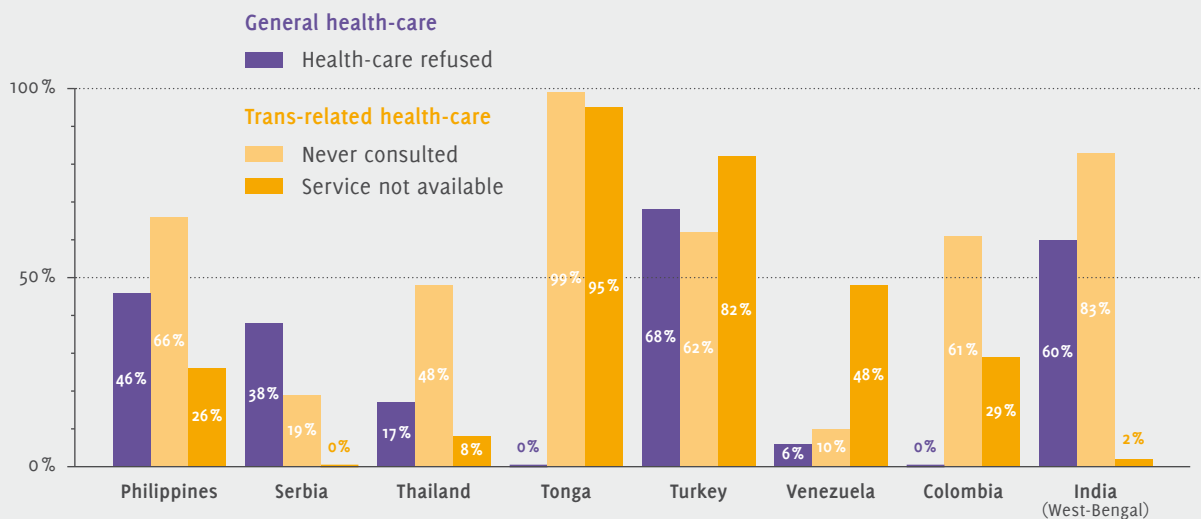


Figure 4 | General and trans-related health-care

Balzer demonstrated in his study on trans people in Rio de Janeiro, several trans sex workers started doing sex work as teenagers mostly because of their transphobic experiences in school and family environments.<sup>11</sup> Overall, the varying number of participants in the different countries needs to be kept in mind, especially in the case of Serbia. The comparatively low number of reported trans sex workers in Serbia may be a result of the difficulties the local project partner encountered in reaching out to trans sex workers. This possibility should be considered in further research.

At any rate, both experiences with paid work in general and with sex work in particular suggest an acute need to improve trans and gender-diverse people's employment situation across all countries.

### Experiences with the health-care system

The number of trans and gender-diverse people who have been refused general health-care services because of their identity is surprising. In Turkey, 24 respondents (or 68% of all respondents who answered the question) stated that they were refused general health-care services because of their identity. In the Philippines, 13 respondents (or 46% of all respondents who answered the question) answered the same, while in Venezuela eight (or 6% of all respondents who answered the question), in India (West Bengal) six (or 60% of all respondents who answered the question), in Thailand two (or 17% of all respondents who answered the question) and in Colombia and Tonga none of the respondents answered the same. In Serbia, for instance, one of the respondents explained: *'The doctor refused to examine or look at me and wrote that I am healthy'*.

A different picture emerges from the analysis of questions regarding trans-related health-care services. Ninety-nine per cent of respondents in Tonga stated that they have never consulted health-care professionals for trans-related health-care services. Non-consultation was also prevalent in most other countries: 83 per cent in India (West Bengal), 66 per cent in the Philippines, 62 per cent in Turkey, 61 per cent in Colombia and 48 per cent in Thailand have never received trans-specific health care. The rate in Thailand is surprising, since Thailand is seen as the country to which most trans people in the region travel in order to have gender-reassignment surgery. The authors of the Thailand chapter conclude that *'trans-specific health-care is still uncommon in Thailand'*. Only in Serbia did a majority of respondents (81%) say that they have received trans-related health services. The reasons given for non-consultation vary from a lack of availability to a lack of knowledge of how to access the services to the prohibitive cost. While in Tonga and Turkey, a majority of 95 per cent and 82 per cent, respectively, stated that trans-related health-care services are not available, in Thailand (8%), India (2%) and Serbia (0%) very few people or none said the same.<sup>12</sup> The survey questionnaire contained several specific questions regarding trans-related health-care, which we have not analysed comparatively due to the inconsistencies in the respondent numbers. These questions are analysed in detail in the country chapters. > Figure 4

### Experiences within religious communities

The majority of respondents belong to one of four major world religions: Buddhism (97% in Thailand), Christianity (96% in Tonga, 91% in the Philippines, 83% in Colombia, 70% in Venezuela, and 3% in Serbia), Hinduism (82% in India (West Bengal)) and Islam (76% in Turkey). Only in

Table 7 | Religion

|             | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|-------------|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Buddhist    | 1%          | 0%     | 97%      | 0%    | 0%     | 0%        | 0%       | 0%                  |
| Christian   | 91%         | 63%    | 1%       | 96%   | 3%     | 70%       | 83%      | 0%                  |
| Hindu       | 0%          | 0%     | 0%       | 0%    | 0%     | 0%        | 0%       | 82%                 |
| Jewish      | 0%          | 0%     | 0%       | 0%    | 0%     | 0%        | 0%       | 6%                  |
| Muslim      | 2%          | 4%     | 2%       | 0%    | 76%    | 0%        | 0%       | 12%                 |
| Sikh        | 0%          | 0%     | 0%       | 0%    | 0%     | 0%        | 0%       | 0%                  |
| Taoist      | 0%          | 0%     | 0%       | 0%    | 0%     | 0%        | 0%       | 0%                  |
| No religion | 4%          | 33%    | 0%       | 4%    | 15%    | 30%       | 17%      | 0%                  |
| Other       | 4%          | 0%     | 0%       | 0%    | 6%     | 0%        | 0%       | 0%                  |

Serbia and Venezuela did a third of participants state that they have no religion. > [Table 7](#)

The ways in which the respondents have been treated and behave within their religious communities varies from religion to religion, and also from country to country. In all countries except India (West Bengal) (82% Hindu, 12% Muslim, 6% Jewish), only 1 to 6 per cent of the respondents belonged to a religion other than the country's dominant one. Due to the lack of reliable data, we focus in the following only on experiences with the major religion in each country.

Of the 97 per cent of trans and gender-diverse people in Thailand who are Buddhist, 80 per cent said they are always open regarding their identity, and 98 per cent said they are allowed to participate in religious services. Of the 82 per cent of trans and gender-diverse people in India (West Bengal) who are Hindu, only 12 per cent stated they are always open regarding their identity, and 81 per cent said they are allowed to participate in religious services. Of the 76 per cent of trans and gender-diverse people in Turkey who are Muslim, only 16 per cent said they are always open regarding their identity, and 84 per cent said they are allowed to participate in religious services.

There is quite some variety with regard to trans and gender-diverse people who are Christian in Christian-majority

countries. In Tonga, 96 per cent of trans and gender-diverse people are Christian, 80 per cent of whom reported that they are always open about their identity. In the Philippines, 71 per cent (of 91% Christians), in Venezuela 23 per cent (of 70% Christians) and in Serbia 23 per cent (of 63% Christians) reported the same. At the same time, 100 per cent of the Christian trans and gender-diverse people in Serbia said that they are allowed to participate in their religious community;<sup>13</sup> 91 per cent in Tonga and 77 per cent in the Philippines, but only 11 per cent in Venezuela, said the same.

The variation regarding Christian trans and gender-diverse people's experiences in different countries clearly shows that the religious acceptance of trans and gender-diverse people cannot be attributed to the different religions as such, but must be connected to the particular social and cultural contexts in question. This is suggested especially by comparing Tonga on the one hand and Colombia and Venezuela on the other. > [Table 8](#)

### Experiences in society | Transrespect versus discrimination and violence

While the previous sections have focused on particular domains such as school, work and family, the last section of the survey addressed overall experiences in society. With

Table 8 | Experiences with major religion

|   | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|---|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| <b>Being open within religious community</b>        |             |        |          |       |        |           |          |                     |
| Always  | 71%         | 23%    | 80%      | 80%   | 16%    | 23%       | 33%      | 12%                 |
| Sometimes   | 11%         | 0%     | 7%       | 12%   | 13%    | 20%       | 39%      | 2%                  |
| Have not tried                                      | 15%         | 54%    | 7%       | 7%    | 67%    | 16%       | 6%       | 35%                 |
| Not part of religious community                     | 3%          | 23%    | 6%       | 1%    | 4%     | 41%       | 22%      | 51%                 |
| <b>Allowed to participate in religious services</b> |             |        |          |       |        |           |          |                     |
| No  | 16%         | 0%     | 2%       | 5%    | 8%     | 78%       | 38%      | 0%                  |
| Only when I hide my identity                        | 7%          | 0%     | 0%       | 4%    | 8%     | 11%       | 25%      | 19%                 |
| Yes   | 77%         | 100%   | 98%      | 91%   | 84%    | 11%       | 37%      | 81%                 |

the exception of Tonga, the majority of respondents in all countries stated that they believe that trans and gender-diverse people are especially discriminated against in society, ranging from 100 per cent in Colombia and Venezuela to 89 per cent in Serbia, 88 per cent in Turkey, 82 per cent in India (West Bengal), 54 per cent in Thailand and only 22 per cent in Tonga. As the authors of the Thailand chapter note, the TVT survey reveals that discrimination against trans people in Thailand exists, and that the view that Thailand is a 'paradise for trans people' is a misconception.

A more differentiated perspective is offered by the results to the question of whether respondents feel that trans and gender-diverse people are always discriminated against. Here, 66 per cent of all respondents in Turkey answered in the affirmative, followed by 39 per cent in Colombia, 35 per cent in Venezuela, 32 per cent in India (West Bengal), 19 per cent in the Philippines, 15 per cent in Serbia, 13 per cent in Thailand and only 2 per cent in Tonga.

The belief that trans and gender-diverse people are discriminated against in (mainstream) society corresponds to the reported experiences of being bullied or attacked. Eighty-eight per cent of respondents in Colombia and 84 per cent in Venezuela stated that they have been bullied or attacked because of their identity, followed by 73 per cent in Turkey, 40 per cent in India (West Bengal), 36 per cent in Serbia, 28 per cent in the Philippines, 16 per cent in Tonga and only 5 per cent in Thailand.

The reported forms of violence include death threats, sexual violence, blackmail and extortion, as well as physical aggression. The analysis shows a large variety in regard to these forms of violence. In Turkey, 43 respondents stated that they have received death threats, followed by 13 respondents in India (West Bengal), eight in Venezuela, five in the Philippines, one each in Colombia and Serbia and none in Tonga. Attacks including physical violence were reported by 64 respondents in Turkey, followed by 27 in Venezuela, 22 in India (West Bengal), 14 in the Philippines, seven in Colombia, five each in Thailand and Tonga and two in Serbia. Even more saddening is the amount of sexual violence that trans and gender-diverse people have experienced. In Turkey, 56 respondents stated that they have experienced sexual violence, followed by 41 in India (West Bengal), 16 in the Philippines, ten in Venezuela, seven

in Thailand, four each in Colombia and Tonga and one in Serbia. The country chapters offer examples of these horrible forms of violence. The amount of the various forms of violence is concerning. This is especially true for Turkey, where more than half of all respondents stated that they have experienced violent attacks (58%) and sexual violence (51%). Thus, in the Turkey chapter, the focus is on the different forms of violence experienced and their contexts.

> [Table 9](#)

This trend is also reflected in the figures relating to experiences of police harassment on the basis of one's identity. An in-depth analysis showed that trans and gender-diverse people are disproportionately affected by police harassment in most countries. The situation is particularly worrying in Colombia, Venezuela and Turkey. In Colombia, 95 per cent of all respondents reported that they have experienced police harassment, and 52 per cent that they have experienced it often; in Venezuela, 80 per cent reported they have experienced police harassment, 34 per cent stating they have done so often; and in Turkey, 75 per cent reported experiences of police harassment, with 61 per cent stating often.

Experiences of police harassment are even higher among trans sex workers. All trans sex workers in Colombia reported having experienced police harassment, and 60 per cent said this is *always* the case; 97 per cent in Venezuela reported experiences of police harassment, 56 per cent saying that it is always the case; 79 per cent of trans sex workers in Turkey reported having experienced police harassment, and 62 per cent stated that they have often done so. The Turkey chapter contains an extensive discussion of the violence and discrimination faced by trans sex workers in Turkey and describes the case of a trans sex worker who was brutally beaten by the police.

Only in Tonga and Serbia – the countries with the fewest sex workers among the respondents – did none of the sex workers report experiences of police harassment. In Tonga, this finding must be seen in the context of the overall figures, as only one person reported police harassment on the basis of their identity, while in Serbia it must be seen in the context of the difficulties in reaching out to trans sex workers. These findings highlight the need to account for the complex accumulation and intersection

**Table 9 | Discrimination by society**

|   | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|---|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Discrimination (always/often/sometimes) | 80%         | 89%    | 54%      | 22%   | 88%    | 100%      | 100%     | 82%                 |
| Discrimination (always)                 | 19%         | 15%    | 13%      | 2%    | 66%    | 35%       | 39%      | 32%                 |
| Bullied/attacked                        | 28%         | 36%    | 5%       | 16%   | 73%    | 84%       | 88%      | 40%                 |

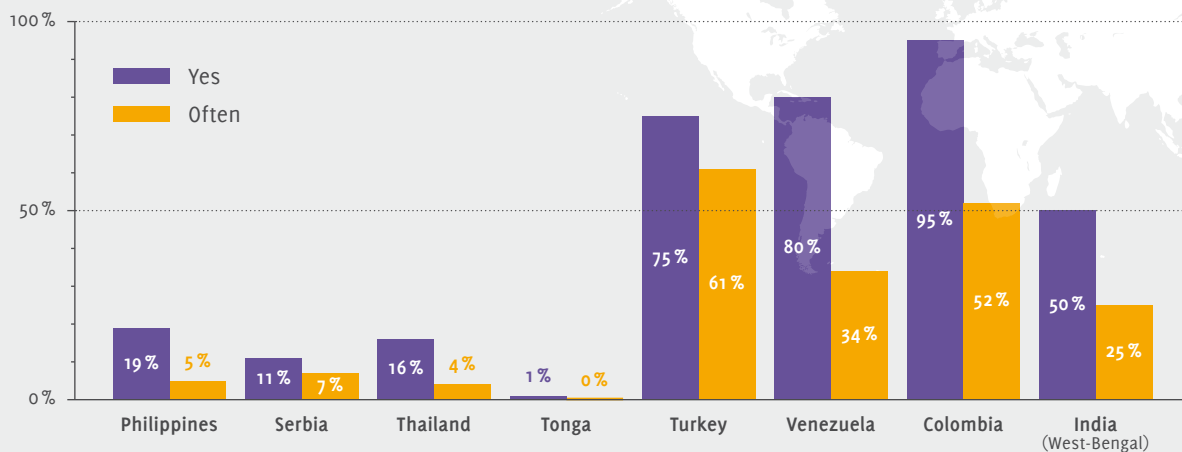


Figure 5 | Experiences of police harassment

of transphobic experiences. Trans and gender-diverse people who turn to sex work due to discrimination and violence in domains like school and the labour market are particularly vulnerable to additional violence in the context of sex work. The Turkey chapter in particular discusses sex workers' experiences at length, also pointing to the need to consider the intersection of Transphobia and violence and discrimination against sex workers. > [Figure 5/ Figure 6](#)

Contrasting the above views on social and societal Transphobia – i.e. the experienced forms of discrimination and violence in school, in the labour market, by the police, within religious communities and in society as a whole – with the views on social and societal Transrespect – i.e. the experiences of specific acknowledgement in these areas – reveals some clearer insights into the overall situation in these countries, especially regarding the significance of school.

In Tonga, 99 per cent of the respondents stated that they believe that trans and gender-diverse people receive specific acknowledgement because of their identity, i.e. Transrespect, within society, and a remarkable 76 per cent said they always do so. Similarly, in the Philippines 88 per cent said that they have received specific acknowledgment because of their identity, and 33 per cent stated that they always do so. In Turkey, by contrast, only 40 per cent stated that they have experienced Transrespect, and only 2 per

cent stated that they always do so; and in Serbia only 19 per cent stated that they have experienced Transrespect, and none said that they always do so. In Venezuela and Colombia, 75 per cent and 65 per cent, respectively, stated that they have experienced Transrespect, while no respondent in either country stated that they always do so.

In school, experiences of Transrespect were reported as occurring often by 38 per cent of respondents in the Philippines, 28 per cent in Thailand, 16 per cent in Turkey and 10 per cent in India (West Bengal), but by none in Colombia, Serbia, Tonga and Venezuela. This shows that even in countries with high levels of societal Transrespect and low levels of social discrimination, school is the Achilles heel when it comes to Transrespect. This is an especially worrisome result in Tonga, as is elaborated in the country chapter. That school experiences stand out is also suggested by the results regarding the employment situation, which reflects overall experiences with Transrespect and specific acknowledgement. Seventy-three per cent of respondents in Colombia and 63 per cent in the Philippines and Venezuela stated that they were employed on the basis of specific skills related to their identity, followed by 43 per cent in Thailand, 36 per cent in India (West Bengal), 20 per cent in Tonga, 9 per cent in Turkey and 7 per cent in Serbia. > [Table 10](#)

Table 10 | Experiences of Transrespect

|  | Philippines | Serbia | Thailand | Tonga | Turkey | Venezuela | Colombia | India (West Bengal) |
|--|-------------|--------|----------|-------|--------|-----------|----------|---------------------|
| Society (always / often / sometimes)     | 81%         | 19%    | 67%      | 98%   | 40%    | 74%       | 65%      | 27%                 |
| Society often                            | 33%         | 0%     | 26%      | 76%   | 2%     | 0%        | 0%       | 1%                  |
| School often                             | 38%         | 0%     | 28%      | 0%    | 16%    | 0%        | 0%       | 10%                 |
| Empl. due to skills (often / once-twice) | 63%         | 7%     | 43%      | 20%   | 8%     | 63%       | 73%      | 36%                 |

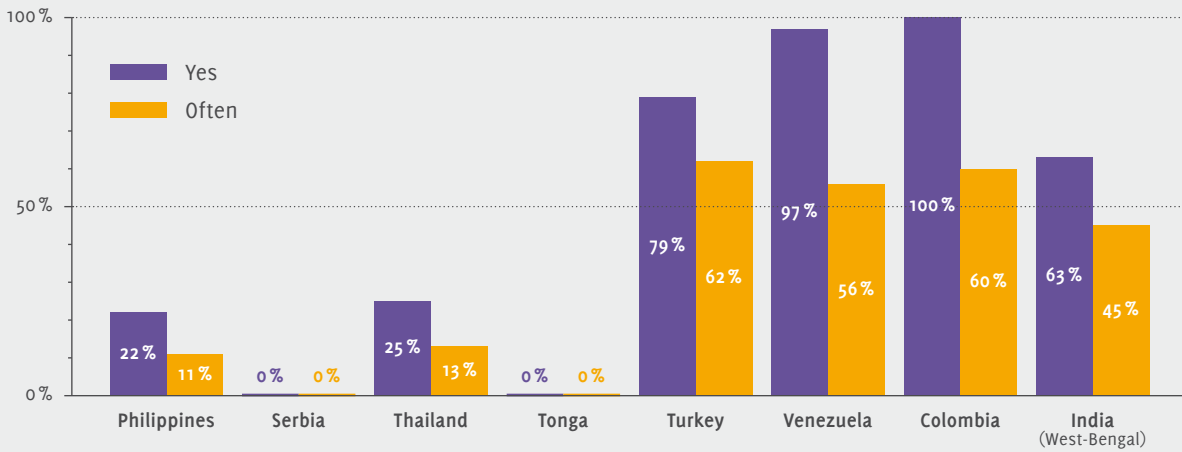


Figure 6 | Sex workers' experiences with police harassment

## 1.4 Conclusion

As stated at the beginning of this chapter, a major obstacle in developing concrete steps towards changing the social situation of trans and gender-diverse people is the lack of data. The present TvT survey tries to address this issue for a small selection of countries. The results confirm the experiences of trans activists with empirical data on many issues, including police violence against trans sex workers. At the same time, they reveal blind spots of discrimination and Transphobia, including the situation of trans and gender-diverse children and teenagers.

Frequently, the enactment of new legal gender-recognition legislation and improvements in its implementation are seen as an important first step in improving the human-rights situation of trans and gender-diverse people.

However, the comparative findings indicate a strong need for a comprehensive approach that includes complex and manifold responses targeted at a range of specific social domains. Here, facets specific to local political and social situations have to be taken into consideration. For instance, even where positive experiences of respect and acknowledgement are reported, expressing one's identity seems to be particularly problematic during adolescence and in the school context.

The Tonga Leiti Association (TLA) has gained a great deal of experience with school drop-outs and provides scholarship programmes for them to receive a better education and training for the labour market. In the Philippines, an anti-bullying law for elementary and secondary schools addressing sexual orientation and gender identity was passed in 2013, and activists are currently pushing for its implementation. Such responses,

1 'Transfobi öldürür - Transphobia kills' - Manifestation against transphobic hate violence in Ankara (Turkey), November 2010



which are elaborated in more detail in the country chapters, may serve as an inspiration for how NGOs and institutions could react to the difficult situation faced by trans and gender-diverse people in schools and the labour market.

In countries like Colombia, Venezuela and Turkey, sex workers in particular report high levels of violence and discrimination at the hands of state authorities, highlighting the need to address issues like arbitrary police violence and the state of the criminal justice system in these countries.

The author of the Turkish chapter was brutally assaulted, robbed and threatened with death before being subjected to ill-treatment by the police in July 2015, as a result of which an international campaign by several movements started to raise awareness of the situation in Turkey. Five major networks (IGLYO, ILGA-Europe, ICRSE, SWAN and TGEU) wrote a joint letter demanding that Turkish authorities take immediate action and show political leadership against increasing anti-LGBTI and sex worker hostility in Turkey.

By providing evidence-based data on the discriminatory conditions activists have been combatting for a long time and revealing additional problem areas, this report highlights the need for further studies. This is also evident from some of the biases in the present survey. Thus, as explained earlier, with the exception of Serbia, the experiences of trans men are underrepresented in this study. At the same time, the experiences of sex workers in Serbia do not figure as prominently as perhaps they should. Additionally, in several countries the focus is on particular regions and on the wider social networks associated with activist organisations.

From the very beginning, TGEU has considered continuing and extending its cooperation with partner organisations in implementing the TvT survey in further countries. In 2014, TGEU started talks with the Asia-Pacific Transgender Network (APTN) regarding the extension of the TvT survey to further Asian and Pacific countries. In 2015, a cooperation was decided on and formalised. Thus in 2016, APTN – in cooperation with TGEU – will implement the TvT survey in at least four more Asian countries.



| Tongan Leiti at a float parade during Miss Galaxy Week in Nuku'alofa (Tonga), December 2014



## II. The Social Experiences of Leitis in the Kingdom of Tonga

Carsten Balzer / Carla LaGata and Joleen Mataele

### II.1 TLA and the Leitis of Tonga

In the Kingdom of Tonga, the trans-led advocacy group Tonga Leiti Association (TLA) carried out a study on *The Social Experiences of Trans and Gender-diverse People* as part of the Transrespect versus Transphobia Worldwide (TvT) project in partnership with Transgender Europe (TGEU).

The research conducted in Tonga brought up two surprising moments. The first concerns the rich sample, signalling very good representation: 108 of estimated 250 Leitis in all the islands of Tonga were interviewed.

Giving the fact that the Kingdom of Tonga encompasses 176 islands, of which 36 are inhabited, and that travel is either extremely time consuming (by sea) or expensive (by air), the questionnaires were filled out in a guided collective session in the capital, rather than through face-to-face interviews. Still, this approach led to the most representative TvT survey sample in the study. In November and December 2012, TLA organised events around the global 'Sixteen days of Activism against Gender-based Violence' and included the implementation of the TvT survey in this event.

A complex system was developed in which villages were grouped in stations. Five Leitis from every station were picked. The outreach to these villages was conducted

through the so-called TLA Road Show. All participants gathered at the retreat centre and the close-by Jowella restaurant in Nuku'alofa, where they met with other Leitis from the outer islands, who came to see the Annual Miss Galaxy Queen Pageant.

This process finally led to 108 completed questionnaires. The interviewees are from the island groups of Tongatapu, Vava'u, Niuaotupapu, Ha'apai, and Eua.

#### I Definition of Tongan Leitis

There are people who are attracted to the same sex, and people assigned male at birth who feel they are more like women than men, in all Pacific countries. In the West, these people would be regarded as homosexual and transgender. However, these terms do not align neatly with the Pacific's categories of gender and sexuality, which are more diverse and culturally unique and include a wide range of identities that are often particular to local Pacific cultures. The Tongan term *Leiti* is a modern derivation of the English word 'lady'. It is a local term used mainly for people who would be considered female-identifying trans persons in the West. Still, it is as diverse and culturally unique as other Pacific identities.





### I TLA Training for the TVT study in Tonga

The vast number of interviewees must be seen in the context of TLA having 122 registered members, and estimating a total of 250 Leitis living openly in all Tongan islands. According to the Tonga Department of Statistics, the population of the Kingdom of Tonga in 2011 was 103,000.<sup>14</sup> This means that the TVT survey sample represents 0.1 per cent of the entire population of the country, and 43 per cent of its estimated visible Leiti community.

The second surprising aspect of the study has to do with the comparatively high level of Transrespect, coinciding with comparatively low levels of Transphobia, in the country. The high level of Transrespect is in contrast to the legal situation of Leitis in Tonga, who not only lack the right to legal gender recognition, but are also subject to two forms of criminalisation: the criminalisation of homosexuality<sup>15</sup> and the criminalisation of cross-dressing under certain circumstances.<sup>16</sup>

At the same time, the data show some worrying trends regarding the childhood experiences of Tongan Leitis, ranging from bullying to physical attacks and sexual abuse in schools and families.

Although Tongan Leitis form a subculture with a long history,<sup>17</sup> much recent activism in Tonga has emerged from TLA, which was formed in 1992 to counter public hostility and discrimination due to the fact that Leitis were associated with the AIDS epidemic in the early 1990s. When, in February 1992, the TLA founders took the idea of establishing a new civil-society organisation to look after the welfare and wellbeing of Leitis to Her Royal Highness Princess Salote Mafile'o Pilolevu and to ask if one of her children could be their patron, Her Royal Highness supported the idea and agreed that her eldest daughter Honourable Salote Lupepau'u Salamasina Purea Vahine Ari'i 'oe Hau Tuita would become the patron of the new organisation.

Since then, TLA has received royal patronage and its members have been active in campaigning in the mainstream community as advocates for the Leiti community and promoting HIV/AIDS awareness to youth, family and the Leiti community. TLA also started educating Leiti school drop-outs by providing scholarships and launched Tonga's first ever condom and water-based lubricant campaign 2007. Moreover, TLA campaigns for human rights around sexual diversity with a focus on improving the rights, and celebrating the contribution, of Leitis in Tonga. TLA pursues these aims in various ways, but most importantly by means of the Miss Galaxy Beauty Pageant. For the last 21 years, TLA has held this annual beauty pageant, which has in effect become a 'pride' event for the Pacific region.

### I Her Royal Highness Princess Salote Pilolevu, Lord Tuita and Her Excellency Adi Koila Nailatikau (First Lady of Fiji) at the Official Opening of the TLA Office, where the TVT project was introduced





I Tongan Leitis in the Catholic Basilica in Nuku'alofa

The effectiveness of TLA activism in the last two decades could be observed in December 2014 at the Miss Galaxy Week, a one-week celebration for the event's 21<sup>st</sup> anniversary. The Miss Galaxy Week started on a Sunday with two events. The first was a Holy Mass in the Catholic Basilica of Nuku'alofa, Tonga's capital, in which many Leitis participated in female clothing and their pageant sashes, which explained who they represented.

The second event was a candlelight vigil in a central place in Nuku'alofa linked to World AIDS Day to remember those Leitis who have passed away. It was extremely impressive to see the participation in the latter of not only the patron of TLA, the Honorable Princess Salote Lupepau'u Salamasina Purea Vahine Ari'i 'oe Hau Tuita, but also several politicians and religious leaders who acknowledged the enormous work TLA has done in the last 20 years. The Seven Day Adventists' pastor sang with his daughter and declared: *'To be a good shepherd is to come out of the comfort zone and recognise and work with minorities'*. The president of the Free Church of Tonga said: *'What TLA did in organising this event should have been done by the churches'*. The director of the Ministry of Health also acknowledged that Leitis are leading the way by assisting the Ministry of Health and the Tonga Family Health Association in all HIV-awareness programmes in Tonga. Twenty years ago, however, Leitis

faced enormous discrimination in mainstream society. They were bullied, insulted in the streets, demonised by religious leaders and held responsible for the arrival of AIDS in Tonga.

Thus, the high level of Transrespect and other positive results, which will be outlined below, must be seen as the result of TLA's extremely successful activism over the past 20 years.

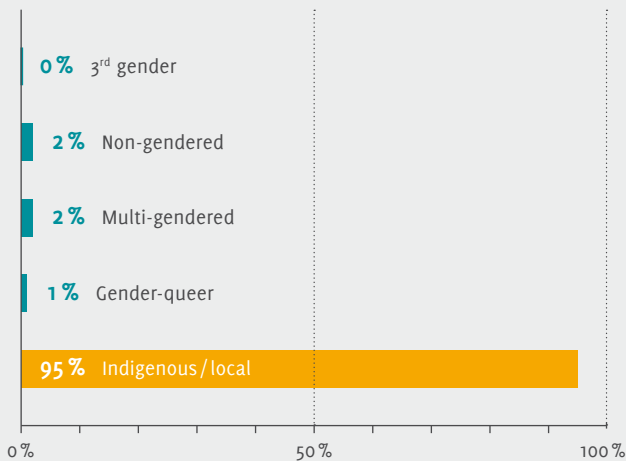


Figure 1 | Self identification (gender)

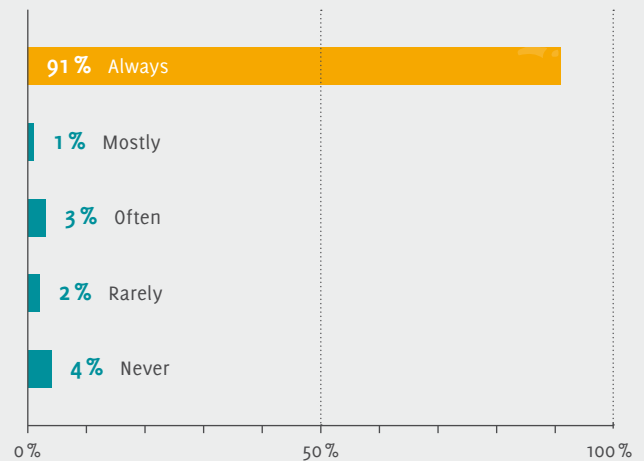


Figure 2 | I live in my preferred gender

## II.2 The experiences of Leitis in Tonga

The highly representative sample from Tonga shows a striking homogeneity in regard to several identity aspects of the participants.

All 108 participants answered that they are Tongan. Only three of them had one parent who migrated from another country, i.e. Fiji and India.

Not surprisingly, all Tongans who participated in the survey defined themselves outside the Global North-shaped MTF-FTM binary and chose the third category, 'Other', instead. Ninety-five per cent further specified their identity as an 'indigenous/local identity', naming it 'Leiti' (see definition in the previous section), 2 per cent (i.e. two individuals) defined as 'non-gendered', two as 'multi-gendered' and one as 'gender-queer'. > [Figure 1](#)

However, 99 per cent of all participants reported that their preferred gender was not recognised in their legal documents, and only 1 per cent, or one person, who claimed a non-gendered identity, reported otherwise. This suggests that, with one exception, all Leitis who participated in this research have a gender identity that differs from the one that was assigned to them at birth.

Of the 101 participants who answered the question regarding their religion, 96 per cent stated 'Christian', and four per cent stated that they have no religion. The average age of the participants at the time of the survey was 28.

### 2.1 The legal situation of Leitis

The research shows that in Tonga there is a striking gap between living in one's preferred gender and having one's preferred gender recognised in one's legal documents. Ninety per cent of the 108 participants stated that they always live in their preferred identity, 1 per cent often, 3 per cent sometimes and 2 per cent rarely, and only 4 per cent stated that they never live in their preferred identity. As reasons for only sometimes or never living in their preferred identity, two stated that it is their own choice not to do so, one referred to not having a fixed gender and six stated that they do not do so because of obstacles. Furthermore, more than two-thirds (70% of the 108 interviewees) stated that they were raised in the gender identity they now identify with.

Because 99 per cent of all participants reported that their preferred gender is not recognised in their legal documents, the vast majority of the 90 per cent of Leitis who always live in their preferred gender face a major challenge in Tonga. > [Figure 2](#)/[Figure 3](#)

Of the 108 participants, 97 per cent stated that the Christian name on their legal documents is not their preferred name. Of the 3 individuals who do have their preferred name on their documents, two stated that their preferred name is a male one, while the third claimed a non-gendered identity.

Another striking gap is evident in the fact that homosexuality and so-called cross-dressing under certain circumstances are criminalised in Tonga (see previous section), but none of the 108 participants has ever been fined, arrested or convicted on the basis of their identity. In fact, only 1 per cent of participants reported having been fined, convicted or arrested, but not for reasons often

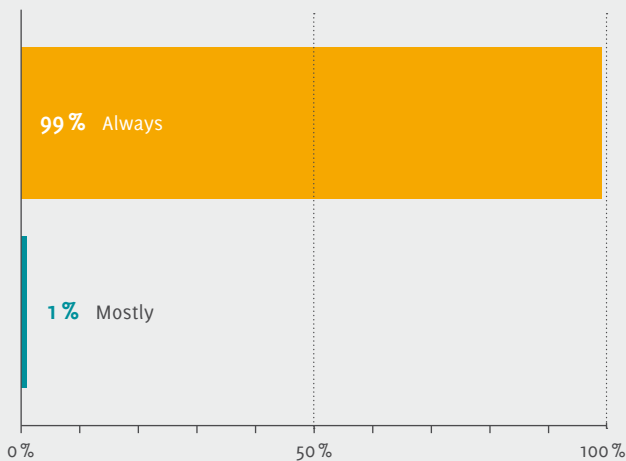


Figure 3 | My preferred gender is legally recognized

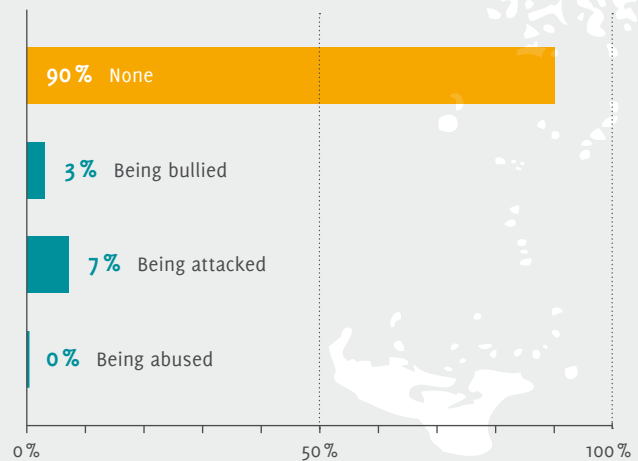


Figure 4 | Negative childhood experiences within own family

experienced by trans and gender-diverse people in other countries, such as homosexuality, ‘cross-dressing’, prostitution or public nuisance. Only 1 per cent of all participants have experienced police harassment. This surprising finding is confirmed by findings regarding experiences with Transrespect and Transphobia in several social areas.

## 2.2 Leitis in the private sphere

Of the 92 interviewees who answered the question regarding transphobic experiences within their family, 90 per cent stated that they have never had such an experience, 3 per cent reported that they have been bullied, and 7 per cent reported that they have been attacked. Of those who have experienced Transphobia, five interviewees mentioned that as children and teenagers they were ‘forced to talk and act like a man’, three mentioned that family members did not like their being open as a Leiti, three reported violence from male family members, one was sexually abused by a cousin at the age of 12, one was hit by their father for ‘not acting like a man’, and one reported: ‘My brother used to put a rope on my neck to hang me so I would talk and act like a man’.

> Figure 4

On the flipside, of the 57 interviewees who answered the question regarding experiences of Transrespect within their family, more than half (33 interviewees or 58%) reported that they receive family support in regard to their gender identity. As examples, many of them reported that female family members (‘my mother’, ‘my aunty’, ‘my grandmother’) support them in regard to their Leiti identity. Three reported that family members have bought make-up or female clothes for them or supplied them with ‘all my girly stuff’. While ten interviewees, or 9 per cent of all survey participants, reported having had transphobic

experiences in their family, 33 interviewees, or 30 per cent, reported having experienced Transrespect in their family.

Of all 108 participants, 91 per cent declared that they are open as a Leiti to all or to some of their friends (84% to all, 7% to some), 4 per cent are not open and 5 per cent have never tried to be open. Of the 98 participants who answered the question regarding whether their friends appreciate their Leiti identity, 73 per cent stated always, 7 per cent often, 12 per cent sometimes, 3 per cent rarely and only 4 per cent never. At the same time, of the 99 participants who answered the question regarding whether their friends disrespect their Leiti identity, 60 per cent answered never,

## I Prison experiences

Seven per cent of all participants, i.e. seven participants, reported that they have been in jail, but not because of their Leiti identity. Of the six respondents who answered the question regarding which prison cell they would prefer, if they could choose one, four answered a men’s cell, one answered a women’s cell and one answered a separate unit relating to their gender identity. Three answered the question regarding which cell they were put in: one was put in a cell that did not correspond to their gender, another in a cell that did correspond to their gender and the third in solitary confinement. However all seven answered that their identity did not affect the way they were generally treated in prison, although three of them reported that they did experience sexual violence: one by other inmates, one by prison staff and one by inmates and staff.

20 per cent rarely, 18 per cent sometimes and 2 per cent often. No one answered always.

This means that the vast majority (92%) of the 98 respondents who answered the question have experienced that their Leiti identity is appreciated by their friends. At the same time, 60 per cent of 99 interviewees stated that they never experience disrespect regarding their identity from their friends, but 38 per cent said that they experience disrespect rarely or sometimes, and only 2 per cent often. Of those who sometimes experience disrespect, two gave the following examples: *‘When I am out in church’* and *‘It really depends on your surroundings’*.

Ninety-six of the 108 participants answered the question regarding whether they are open regarding their identity with their partner, spouse or lover. Of these, 54 per cent answered that they are very open, 39 per cent answered that they are open in some respects and 7 per cent answered that they do not try to be open. Eighty-nine Leitis answered the question regarding whether their partners/spouses/lovers appreciate their identity: of these, 35 per cent answered always, 36 per cent often, 7 per cent sometimes, 18 per cent rarely, and 4 per cent never. Of the 90 participants who answered the question regarding whether their identity is disrespected by their partner, spouse or lover, 79 per cent answered never, 12 per cent rarely, 6 per cent sometimes, 2 per cent often and 1 per cent always. This means that over three-quarters have their identity appreciated by their partner, spouse or lover, and that almost the same proportion reported that they have never experienced disrespect in regard to their identity by their partner, spouse or lover.

The results regarding the experiences with friends and with partners, spouses or lovers reflect the results

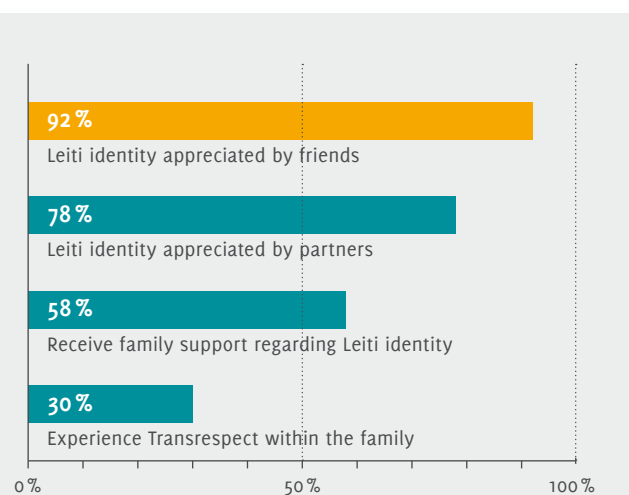


Figure 5 | Experiences of Transrespect in the private sphere

regarding experiences within the family: a vast majority of Leitis in Tonga reported that they have had positive experiences instead of negative ones, and that the Leiti community’s experiences of Transrespect and appreciation outnumber the experiences of Transphobia and disrespect within very important social environments: family, friends and partners. > Figure 5

### 2.3 Leitis at school

While Leitis have had more positive than negative experiences with family, friends and partners regarding their identity, their experiences at school show a slightly different picture.

The questions regarding experiences at school were generally answered by 97 to 100 of the 108 survey participants (average 98.5). Of these, 86 per cent reported that their identity did not affect their overall treatment at school, while 14 per cent said it did. Ninety-eight per cent did not find it hard to move into a new school or class because of their identity, while 1 per cent experienced problems once or few times and 1 per cent often. Ninety-nine per cent also reported that their achievements were not acknowledged less than those of others because of their identity, while 1 per cent reported that they were. At the same time, 98 per cent reported that they never experienced special respect or acknowledgement because of their identity at school, whereas 2 per cent reported that they did. One hundred per cent reported that they never experienced special respect or acknowledgement because of their identity by their teachers. At the same time, 96 per cent reported that they never experienced disrespect from their teachers because of their identity, while 2 per cent experienced disrespect once or few times and 2 per cent often. As examples, two of the respondents reported that they were told off for being a Leiti, one reported that she was hit for being a Leiti and one stated that she experienced disrespect by teachers *‘only when I overacted as a girl’*. Ninety-four per cent reported that they never experienced physical violence from their teachers because of their identity, while 6 per cent reported that they experienced physical violence from their teachers because of their identity once or few times. As examples, these 6 per cent stated: *‘The teacher hit me on the head’*, *‘Because I didn’t participate in boys’ activities’*, or *‘Only when I showed too much of my true identity’*. Ninety-two per cent answered that they have never been excluded, bullied or insulted because of their identity by other pupils or students, 5 per cent had these experiences once or few times, and 3 per cent often. These 8 per cent gave the following examples: *‘Just because of me being a Leiti’*; *‘Boys always asked me to suck them’*; *‘Teasing and bullying me in the*

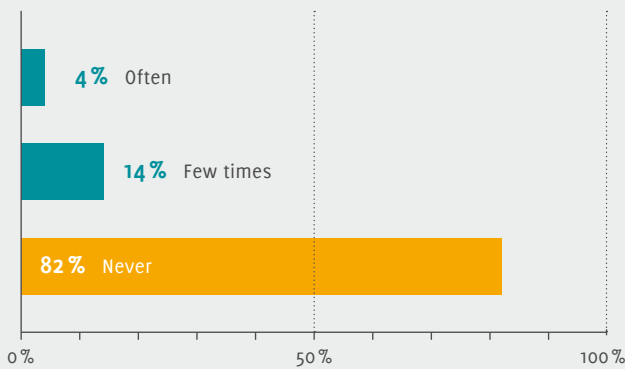


Figure 6 | Physically attacked by students at school

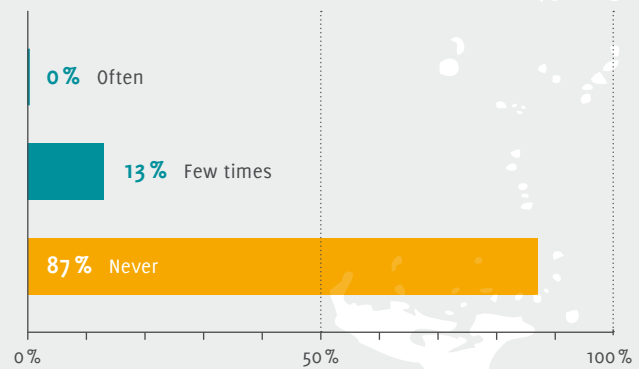


Figure 7 | Sexually harassed or attacked by students at school

hallway'; 'Some of them hated that (being a Leiti)'. At the same time, 98 per cent stated that they had never received special respect because of their identity from other pupils, whereas 2 per cent stated that they had.

Surprisingly, the frequency with which respondents experienced physical attacks and sexual violence from other students was much higher. Four per cent reported that they were often attacked physically by other students because of their identity, 14 per cent reported that they were attacked physically for this reason once or few times and 82 per cent never experienced such forms of violence from students. Thirteen per cent reported that they experienced sexual violence or harassment because of their identity from other students, while 87 per cent reported never having experienced sexual violence. Asked about their experiences, the 13 per cent gave the following examples: '... 'cause they always thought that my mouth is good for sucking'; 'I was in an all-boys' school, and I was always asked by some of the boys to have oral sex or intercourse with them, and if I didn't comply I got hurt'; 'When I used to be a dorm student'; 'In the dormitory, I was forced to do oral sex'; and 'I was forced to have intercourse most of the time by the older boys'. > Figure 6/ Figure 7

The vast majority of the survey participants had neutral experiences in school regarding their Leiti identity. However, the negative experiences, including dire experiences of physical attacks and sexual violence, outnumber the very few positive experiences Leitis had at school.

The TvT research in Tonga thus confirms TLA's experiences with school drop-outs. A current programme conducted by TLA consists of providing scholarships to Leitis who want to achieve academic qualifications in order to obtain a tertiary education. This is in response to the

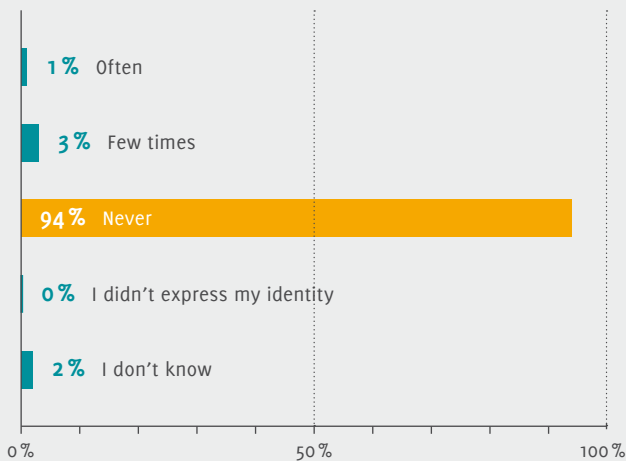
number of Leitis who have dropped out of school and would therefore not be able to receive tertiary education, and obtain meaningful employment, without support. Anecdotal evidence from Leiti school drop-outs who receive TLA scholarships suggests that many Leitis are bullied in school, which negatively affects their overall wellbeing. A key reason given by the scholarship holders for the high level of drop outs is the stigma and discrimination experienced within the educational system, in particular bullying.

## 2.4 Earning one's living as a Leiti

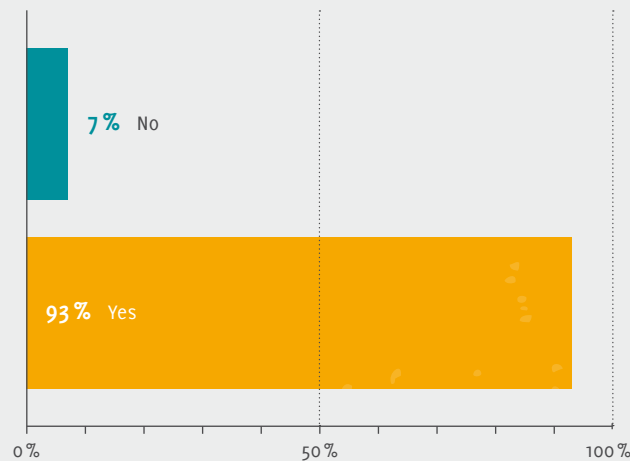
Of the 91 participants who answered the question of whether employment was refused to them because of their identity, 94 per cent answered never, 3 per cent answered once or few times and 1 per cent answered often. Another 2 per cent stated that they did not know. > Figure 8

Of these 91 participants, 95 per cent stated that they have never lost a job because of their identity, and five per cent stated that they have often lost a job for this reason. Ninety-eight per cent of these 91 answered that their identity has never affected their treatment at their work place, and only 2 per cent said that it has.

Of the 89 participants who answered the question, 17 per cent reported that they have often received employment support, 13 per cent once or twice, 53 per cent never and 17 per cent explained that such support does not exist. The majority of the 30 per cent who reported that they have received employment support explained that they received it from TLA. The TLA has established a Governing Board – consisting of representatives of the government, NGOs and the business sector, as well as legal advisors – which helps secure jobs for unemployed TLA members, and which runs



**Figure 8** | Has employment been refused to you for to being a Leiti?



**Figure 9** | Is your identity valued within your religious or spiritual community?

an advocacy programme in the rural areas of Tongatapu and in the islands of Vava'u.

All 108 participants answered the question regarding whether they are working in a sector in which Leitis have established themselves. Of these, 78 per cent said no, 21 per cent said yes, 1 per cent answered that such a sector does not exist. Of the 21 per cent who answered yes, the majority stated 'TLA' as the sector, followed by 'hairdresser'. Only one person, or 1 per cent, answered 'sex worker' and gave as the reason 'because I am accepted for who I am in sex work'.

On the flipside, of the 75 interviewees who answered the question, 16 per cent reported that they have often been employed because of special skills or knowledge related to their identity, 4 per cent reported once or twice, and 79 per cent stated never. In addition, 1 per cent stated that they do not know.

The results show that the vast majority of Leitis in Tonga do not have negative experiences in relation to the labour market, their job or workplace, and that the positive experiences outnumber the negative ones. Here, it is important to note that positive experiences relate mostly to support by the community, i.e. the TLA programmes.

## 2.5 Leitis in religion

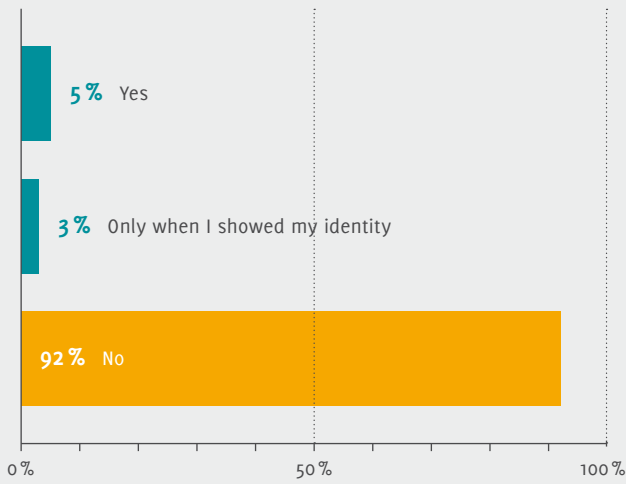
As mentioned above, of the 101 participants who answered the question regarding their religion, 96 per cent stated 'Christian' and 4 per cent stated that they have no religion. Eighty-nine of the 108 survey participants answered the question regarding their experiences with their religion: 81 per cent of these stated that they are always open regarding their identity within their religion, 11 per cent stated sometimes and 7 per cent said that they have never tried to

be open within their religion, while 1 per cent stated that they are not part of a religious community. Ninety-three per cent stated that their identity is valued within their religion, and 7 per cent said it is not.

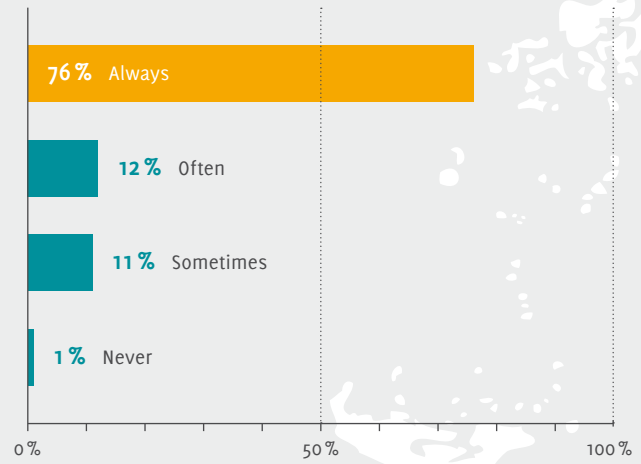
Ninety-three per cent said that they have never been told that they cannot participate in religious services because of their identity, 5 per cent stated that they are not allowed to participate because of their identity and 3 per cent stated that they are only allowed to participate if they hide their identity. > [Figure 9/10](#)

**I** His Eminence Lord Cardinal Soane Patita Paini Mafi addressing World AIDS Day 2013, hosted by the Tongan Ministry of Health and TLA





**Figure 10** | Due to my identity, I was excluded from religious services



**Figure 11** | Do you think Leitis are appreciated in Tongan society?

Summing up, 93 per cent declared that their identity does not affect the way they are treated within their religion, whereas 7 per cent stated that it does.

This means that the vast majority of Leitis in Tonga have neutral or positive experiences within their religious community, and only few are excluded and/or have negative experiences. The research results thus confirm the impressions at the Miss Galaxy week in December 2014, in which religious and political leaders celebrated the importance of the Leiti community, as mentioned at the beginning of this chapter. As the picture below demonstrates, one year earlier, the then-Bishop of Tonga, Soane Patita Paini Mafi, who was appointed Cardinal (Cardinal-Priest of Santa Paola Romana) by Pope Francis in February 2015, spoke in favour of TLA at the World AIDS Day in 2013. Again, it is noteworthy that this situation has resulted from 20 years of successful advocacy by TLA.

## 2.6 Being a Leiti in Tongan mainstream society

All 108 survey participants answered the questions regarding their experiences in the broader society, and their answers confirm the overall trend.

Ninety-nine per cent of all participants think that Leitis are appreciated as Leitis in Tongan society, while only 1 per cent do not. Of these 99 per cent, 76 per cent think that Leitis are always appreciated, 12 per cent think they are often appreciated and 11 per cent think they are sometimes appreciated.

On the flipside, 78 per cent think that Leitis are never discriminated against in society for being Leitis, 17 per cent think they are sometimes discriminated against, 4 per cent think they are often discriminated against and 1 per cent think they are always discriminated against.

However, when it comes to experiencing violence, 84 per cent reported that they never have been bullied or attacked because of their identity in the broader society, but 16 per cent have. > [Figure 11](#) / [Figure 12](#)

## 2.7 Leitis and the health system

Of the 107 participants who answered the question, 100 per cent stated that their identity has never affected how they have been treated when receiving public health-care services. However, of 108 participants 99 per cent reported that they have never visited a counsellor, doctor, hormone specialist or other professional about transition and trans-related health-care. Only 1 per cent have done so, but only once or few times. > [Figure 13](#)

Among those who have never visited a specialist, 95 per cent stated both 'cannot afford' and 'services not available', 25 per cent stated 'not needed/wanted' and 1 per cent stated 'don't know how to get' and 'other reasons'. Thus, the lack of trans-related health-care poses a great challenge for Leitis in Tonga.



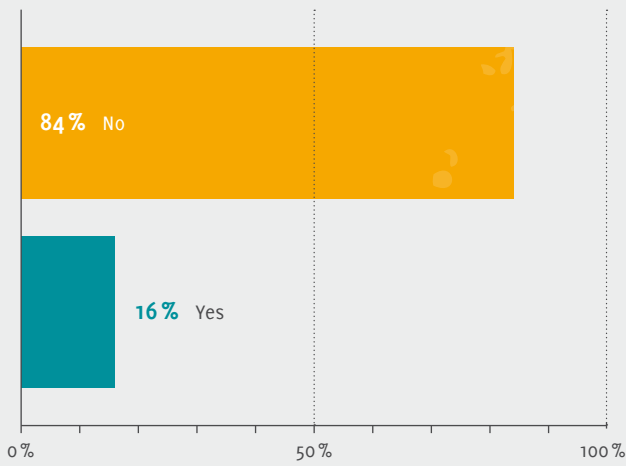


Figure 12 | Have you been bullied, attacked or abused because of your identity?

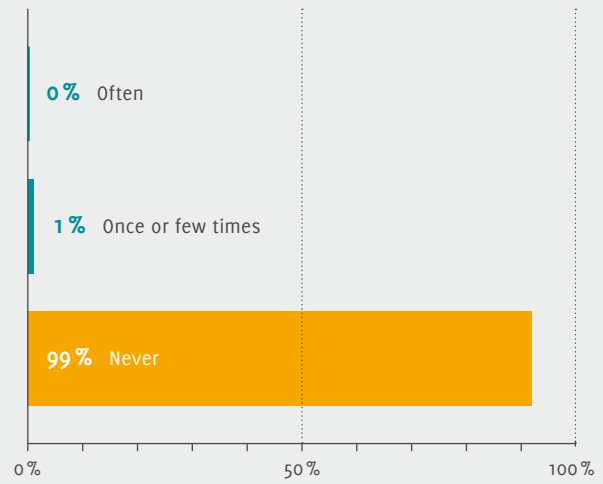


Figure 13 | Have you visited a counsellor, doctor, hormone specialist, surgeon or other health professional about transition/trans-related health-care?

### | Experiences of violence

The experiences of violence contradict the general level of Transrespect in Tongan society. Six participants reported that they have been insulted or threatened with violence, five have experienced physical aggression, four have experienced sexual violence and one has been blackmailed.

Some of the respondents gave the following examples. One stated that she was brutally raped in a park when she was still in school. Another reported having been raped ten years earlier, which rape was prosecuted and led her to engage in social activism for Leitis to prevent what happened to her from happening to others. One reported that she was raped by eight boys in a hut and had to leave school because of the rumours. Another stated that she was abused and attacked from behind by three boys, but was saved by other boys, who beat the perpetrators.

Others reported that they were hit with a bottle, attacked by drunken men or 'would prefer to not talk about' what happened.

Five of those who were sexually assaulted complained, and three considered the investigation and outcome of the complaint, as well as the support they received, very good.

Of the eleven participants who answered the question regarding whether they ever thought of committing suicide as a result of negative experiences related to their identity, 73 per cent stated never and 23 per cent stated once or few times.

## II.3 Conclusion

The TvT research in Tonga is a milestone for TLA and the Tongan Leiti community insofar as it has enabled TLA to discover the views and experiences of Tongan Leitis and enabled the survey participants to share their stories freely in a safe and anonymous environment. The latter must be seen in the context of the cultural taboo of not speaking about negative experiences within families and in childhood. In 2012, Joleen Mataele explained in the first TvT research report: 'Because of our culture and taboo, there is a lot of silence. Nobody would be able to report any abuse or anything that's done to a leiti because, you know, that family would think that they have rumours about it'.<sup>18</sup>

Thus, the comparatively high degree of experiences of Transrespect in many areas is contradicted by astonishingly horrible reports of experienced violence, which is usually not spoken about in Tongan society. Here, the number of experiences of sexual violence in school and family during childhood, as well as in prison and within the broader mainstream society, is extremely worrisome.

The comparatively high levels of Transrespect for which Tonga is notable among the six countries that have participated in this survey are further clouded by the legal and health-care situation of Leitis. As shown, the lack of legal gender-recognition legislation contradicts the reality of Leitis and results in a striking gap between living in one's preferred gender and having one's preferred gender recognised in one's legal documents. This lack of legal recognition contributes to social invisibility and a lack of influence on the policymakers and officials responsible for resource allocation and service delivery. Legal gender

recognition therefore represents one of the keys to equality for Leitis in Tonga. At the same time, the Tongan penal code criminalises not only homosexuality as 'sodomy', but also so-called 'cross-dressing' under certain circumstances. Although neither of these laws has been enforced in recent decades, they pose a challenge and have to be removed or reworded. Criminalisation perpetuates discriminatory and outmoded beliefs, for instance among some health professionals, who consider the Leiti identity a disease or disorder. These legal barriers, stigma and discrimination make Leitis more vulnerable and have to be overcome. As well, trans-related health-care and Leiti-awareness training among health-care practitioners is needed in Tonga.

Despite these needs, TLA has little to no funding from governments or donors in the region for its various projects. This funding is needed to continue its successful awareness raising and its fight for Leitis' rights, wellbeing and sexual health. Resources are urgently needed to fund this work. And this requires leadership from governments, donors and institutions in Tonga.

In conclusion, even though attitudes towards the Leiti community have changed in the 21st century, Leitis still face different forms of violence, including sexual violence. The advocacy and awareness programmes that TLA has been running for the past 21 years have broken down many of the barriers that Leitis faced in the recent past. The TVT research in Tonga will enable TLA and its activists to reach out to Tongan communities and political leaders to support TLA's future plans. The research results will be used to educate and break down more of the barriers that the Leiti community continues to face.

This little kingdom is far too small for haters and discrimination. Leitis need support, love and care.



| Miss Galaxy 2014 at the Miss Galaxy Aftershow Party in a resort in Nuku'alofa (Tonga), December 2014

## III. Appendix

### III. a Transrespect versus Transphobia Worldwide | Cooperation across continents

The organisations partaking in the presented TvT Survey on the *Social Experiences of Trans and Gender-diverse People* are part of a wider network of activists, researchers and organisations that is grounded in and serves gender-diverse/trans people's movements and activism first and foremost. From 2010 to 2015, TGEU's TvT team worked in cooperation with 23 partner organisations and numerous trans activists and researchers from more than 100 countries in all six world regions and was counselled by an international Advisory Board of more than 25 LGBT, trans, and human-rights experts and researchers, as shown below.

#### I Partner Organisations of the TvT Project

**A Gender Agenda** (Australia)  
**APT**N (Asia-Pacific)  
**ASTRA Rio** (Brazil)  
**Centro de Apoyo a las Identidades Trans A.C.** (Mexico)  
**Diverlex** (Venezuela)  
**GATE** (Argentina/USA)  
**Gender Dynamix** (South Africa)  
**Grupo Gay da Bahia** (Brazil)  
**Labryz Kyrgyzstan** (Kyrgyzstan)  
**LGBT Centre** (Mongolia)  
**LGBT Gayten** (Serbia)  
**Observatorio Ciudadano Trans** (Colombia)  
**Pembe Hayat** (Turkey)  
**PLUS** (India)  
**STRAP** (The Philippines)  
**Red Umbrella** (Turkey)  
**Thai Transgender Alliance** (Thailand)  
**Tonga Leiti Association** (Tonga)  
**Trans China** (China)  
**Transgender Law Center** (USA)  
**TransInterQueer** (Germany)  
**Trans X** (Austria)  
**United and Strong** (St. Lucia)

#### I The TvT Advisory Board from 2010 to 2015 comprised the following members:

**Mauro Cabral** (Argentina), **Peter Hyundal** (Australia), **Dr Nicolas Beger** (Belgium), **Majorie Marchi**, **Dr Luiz Mott** and **Dr Joseli Maria Silva** (Brazil), **Dr Sam Winter** and **Jiangang Zhao** (China), **Dr Thamar Klein** (Germany), **Agniva Lahiri** and **Shabeena Francis Saveri** (India), **Silvan Agius** (Malta), **Sass Rogando Sasot** (the Netherlands), **Jack Byrne** and **Thomas Hamilton** (New Zealand), **Belissa Andía Pérez** (Peru), **Roger Tootooali Stanley** (Samoa), **Victor Mukasa**, **Jabu Pereira** and **Liesl Theron** (South Africa), **Huya Boonyapisompan** (Thailand), **Joleen Mataele** (Tonga), **Kim Mukasa** (Uganda), **Masen Davis**, **Justus Eisfeld**, **Anna Kirey** and **Dr Susan Stryker** (USA), **Dr Tamara Adrián** (Venezuela)

#### I There were further collaborations with activists, researchers and/or legal experts from:

Albania, American Samoa, Antigua, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, the Caribbean Netherlands, Chile, Cook Islands, Croatia, Cuba, Cyprus, Denmark, Dominica, East Timor, Estonia, Fiji, Finland, France, Greece, Guam, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kiribati, Kosovo, Kyrgyzstan, Latvia, Lithuania, Macedonia, Malaysia, Malta, Mexico, Moldova, Mongolia, Montenegro, Namibia, Nauru, Netherlands, New Caledonia, New Zealand, Niue, Norway, Papua New Guinea, Peru, Philippines, Poland, Portugal, Puerto Rico, Romania, Russia, St. Lucia, St. Kitts, St. Vincent, Samoa, Singapore, Sint Maarten, Slovakia, Slovenia, Solomon Islands, South Africa, South Korea, Spain, Suriname, Sweden, Switzerland, Tahiti, Tajikistan, Thailand, Tokelau, Trinidad and Tobago, Uganda, UK, Ukraine, USA, US Virgin Islands, Uzbekistan, Vietnam, Venezuela and Zambia.

### III. b The TvT Publication Series

In 2010, Transgender Europe initiated the TvT Publication Series to translate important human-rights documents and publish TvT research reports in various languages. The country chapters of the present report will be published in local languages in the subsequent volumes of the TvT publications series. All volumes can be downloaded as PDFs from [www.transrespect.org](http://www.transrespect.org).

#### Volume 10 | Transrespect versus Transphobia – The Experiences of Leitis in the Kingdom of Tonga

Joleen Mataele and Carsten Balzer / Carla LaGata (editors), TLA/TGEU, September 2015

#### Volume 9 | Transrespect versus Transphobia – The Experiences of Trans and Gender-diverse People in Colombia, India, the Philippines, Serbia, Thailand, Tonga, Turkey and Venezuela

Carsten Balzer / Carla LaGata and Jan Simon Hutta (editors), TGEU, September 2015

#### Volume 8 | Küresel ‘Transfobibye Karşı Trans-Saygı’ – Projes Toplumsal Cinsiyet Farklılığına Sahip Bireylerin / Trans Bireylerin İnsan Hakları Durumunun Karşılaştırmalı İncele

Carsten Balzer ve Jan Simon Hutta (Tamara Adrian, Peter Hyndal ve Susan Stryker’in katkılarıyla...), TGEU, Kasım 2012 (1<sup>st</sup> TvT report Turkish version)

#### Volume 7 | Transrespecto versus Transfobia en el Mundo – Un Estudio Comparativo de la Situación de los Derechos Humanos de las personas Trans

Carsten Balzer y Jan Simon Hutta (con Tamara Adrián, Peter Hyndal y Susan Stryker), TGEU, Noviembre 2012 (1<sup>st</sup> TvT report Spanish version)

#### Volume 6 | Transrespect versus Transphobia Worldwide – A Comparative Review of the Human-rights Situation of Gender-variant / Trans People

Carsten Balzer and Jan Simon Hutta (with Tamara Adrián, Peter Hyndal and Susan Stryker), TGEU, November 2012 (English version)

#### Volume 5 | Direitos Humanos e Identidade de Gênero – Relatório Temático

de Thomas Hammarberg, Comissário de Direitos Humanos do Conselho da Europa (Série de Publicações do TvT – Volume 5)

Issue Paper ‘Human Rights and Gender Identity’, Thomas Hammarberg, Council of Europe Commissioner for Human Rights. (Portuguese translation – English original version)

#### Volume 4 | I Diritti Umani e l’Identità di Genere – Issue Paper

di Thomas Hammarberg, Commissario del Consiglio d’Europa per i Diritti Umani (Pubblicazione per la serie TvT – Volume 4)

Issue Paper ‘Human Rights and Gender Identity’, Thomas Hammarberg, Council of Europe Commissioner for Human Rights. (Italian translation – English original version)

#### Volume 3 | Tożsamość płciowa a prawa człowieka – Dokument tematyczny

autorstwa Thomasa Hammarberga, Komisarza Praw Człowieka Rady Europy (Publikacje projektu TvT – tom 3)

Issue Paper ‘Human Rights and Gender Identity’, Thomas Hammarberg, Council of Europe Commissioner for Human Rights. (Polish translation – English original version)

#### Volume 2 | Menschenrechte und Geschlechtsidentität – Themenpapier

von Thomas Hammarberg, Kommissar für Menschenrechte des Europarats (TvT Veröffentlichungsreihe – Band 2)

Issue Paper ‘Human Rights and Gender Identity’, Thomas Hammarberg, Council of Europe Commissioner for Human Rights. (German translation – English original version)

#### Volume 1 | Derechos humanos e identidad de género – Informe temático

de Thomas Hammarberg, Comisario de Derechos Humanos del Consejo de Europa (Serie de publicaciones de TvT – volumen 1)

Issue Paper ‘Human Rights and Gender Identity’, Thomas Hammarberg, Council of Europe Commissioner for Human Rights. (Spanish translation – English original version)

### III. c About the authors

#### Carsten Balzer/ Carla LaGata

... has been active in several social movements since the mid-1980s and wrote his PhD thesis on trans communities in Brazil, Germany and the United States. S\_he is a founding editor of *Liminalis – Journal for Sex/Gender Emancipation and Resistance* and an Editorial Board member of *Transgender Studies Quarterly* (TSQ). From 2011 to 2012, s\_he was a member of the Advisory Committee of the Open Society Foundations' LGBTI Rights Initiative. Carla supported TGEU from its very beginnings and served as a TGEU Steering Committee member from 2008 to 2012. S\_he is TGEU's Senior Researcher and initiated the TvT project in 2009.

#### Jan Simon Hutta

... is a Lecturer at the University of Bayreuth in Germany, working in the Cultural Geography Research Group. He has conducted research on sexual and transgender politics in Brazil and Germany. He received his PhD from The Open University in Milton Keynes, UK. Since 2010, he has conducted research for TvT. He is a committee member of the *Space, Sexualities and Queer Research Group (SSQRG)* of the Royal Geographic Society, an Editorial Board member of *Revista Latinoamericana de Geografia e Gênero* and a founding editor of *sub|urban – zeitschrift für kritische Stadtforschung*. He is currently preparing a research project on migrant trans people.

#### Joleen Mataele

... from the Kingdom of Tonga is a singer, entertainer and event planner and has five adopted children. Joleen is an active promoter for HIV & AIDS awareness, has been an LGBTIQ activist in Tonga and the South Pacific for 23 years and was the founder of the Miss Galaxy Queen Pageant. She is the President of Tonga Leiti Association (TLA) and the President/Co-Founder of the Pacific Sexual Diversity Network (PSDN). In 1996, she was awarded the Silver Jubilee Medal by His Late Majesty King Taufa'ahau Tupou IV for her humanitarian work with disability and sexual-minority groups. In 2008, she was awarded the Order Of Queen Salote Medal during His Late Majesty King George Tupou V's Coronation for services to the Royal Family.



I Leiti at World AIDS Day on December 1st 2014 in Nuku'alofa (Tonga)

### III. d Endnotes

- 1 See Council of Europe Commissioner for Human Rights, *Human Rights and Gender Identity*, issue paper, July 2009, available at <https://wcd.coe.int/ViewDoc.jsp?id=1476365> (last accessed on 15 July 2015).
- 2 *Human Rights and Gender Identity* (op. cit.), p. 44.
- 3 C. Balzer and J.S. Hutta, *Transrespect versus Transphobia Worldwide: A Comparative Review of the Human-rights Situation of Gender-variant/Trans People*, November 2012, p. 5, available at [http://www.transrespect-transphobia.org/uploads/downloads/Publications/TvT\\_research-report.pdf](http://www.transrespect-transphobia.org/uploads/downloads/Publications/TvT_research-report.pdf) (last accessed on 15 July 2015).
- 4 See [www.transrespect-transphobia.org](http://www.transrespect-transphobia.org) (last accessed on 15 July 2015). Regarding the TMM and Legal Mapping, Radcliffe observed: 'The project's documentation of transphobic violence and mapping of the legal environment for transgender people are unique and provide a clearer picture of the scale of the problem and of the kinds of responses that can help to address it'. See *Transrespect versus Transphobia Worldwide: A Comparative Review of the Human-rights Situation of Gender-variant/Trans People* (op. cit.) p. 5.
- 5 The second phase of the research implemented in Turkey was conducted by Red Umbrella in Turkey.
- 6 See <http://www.stigmaindex.org/> (last accessed on 15 July 2015).
- 7 In West Bengal, only half of the participants answered the question.
- 8 In Serbia, many of the participants stated 'Yugoslavia', which was the name of the country when they were born.
- 9 Because there is no regulation of legal gender recognition in Serbia, the process depends entirely on administrative officers, which means that trans people's requests can be denied without explanation.
- 10 See, e.g. *Americas Quarterly* 'Colombia strikes physical exam requirement for gender change', 2015, available at <http://www.americasquarterly.org/content/colombia-strikes-physical-exam-requirement-gender-change?utm> (last accessed on 15 July 2015).
- 11 See C. Balzer, *Gender Outlaw Triptychon: Selbstbilder und Formen der Selbstorganisation in den Transgender-Subkulturen Rio de Janeiro, New Yorks und Berlins*, PhD thesis, Free University of Berlin, 2007, pp. 132-134, 348-356, 378, available at: [http://www.diss.fu-berlin.de/diss/receive/FUDISS\\_thesis\\_000000005722](http://www.diss.fu-berlin.de/diss/receive/FUDISS_thesis_000000005722) (last accessed on 1 July 2015).
- 12 Here, it must be taken into account that all respondents did not answer this question in all countries.
- 13 Only six of 28 respondents answered the question.
- 14 See [www.spc.int/prism/tonga/](http://www.spc.int/prism/tonga/) and <http://data.un.org/CountryProfile.aspx?crName=Tonga> (last accessed on 1 Feb. 2014).
- 15 Tongan Criminal Offenses Act Section 136 criminalises homosexuality as 'sodomy': 'Whoever shall be convicted of the crime of sodomy with another person or bestiality with any animal shall be liable at the discretion of the Court to be imprisoned for any period not exceeding ten years and such animal shall be killed by a public officer'. See <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73337/95725/F665862081/TON73337.pdf> (last accessed on 1 May 2015).
- 16 Tongan Criminal Offenses Act Section 81.5 makes it an offence for a male to impersonate a female under certain circumstances: 'Any male person who, whilst soliciting for an immoral purpose, in a public place with intent to deceive any other person as to his true sex, has on or about his person any article intended by him to represent that he is a female or in any other way impersonates or represents himself to be a female shall be guilty of an offence and shall upon conviction be liable to a fine not exceeding \$100 or to imprisonment for a period not exceeding one year or to both such imprisonment and such fine'. See <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73337/95725/F665862081/TON73337.pdf> (last accessed May 2015).
- 17 See N. Besnier, 'The social production of abjection: Desire and silencing among transgender Tongans', *Social Anthropology*, 2004, Vol. 12.3, pp. 308-309.
- 18 *Transrespect versus Transphobia Worldwide* (op. cit.).

## | Notes



A major obstacle in developing concrete steps towards changing the social situation of trans and gender-diverse people is the lack of data.

The present comparative survey on the social experiences of trans and gender-diverse people – which complements the on-going Trans Murder Monitoring and Legal and Social Mapping projects of the TvT research project – tries to address this issue for a small selection of countries, i. e. Colombia, India, the Philippines, Serbia, Thailand, Tonga, Turkey and Venezuela. The survey was implemented in form of a peer research combined with empowerment of local activists and carried out in cooperation with eight partner organizations in Asia, Europe, Oceania, and South America.

The results confirm the experiences of trans activists with empirical data on many issues, including police violence against trans sex workers. At the same time, they reveal blind spots of discrimination and Transphobia, including the situation of trans and gender-diverse children and teenagers.



## Transrespect versus Transphobia

The social experiences of Leitis  
in the Kingdom of Tonga

| Edited by Joleen Mataele and Carsten Balzer/Carla LaGata

TvT Publication Series Vol. 10



**TRANS RESPECT VERSUS TRANSPHOBIA**  
W O R L D W I D E

[www.transrespect.org](http://www.transrespect.org)



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[www.tgeu.org](http://www.tgeu.org) Transgender Europe