

Flygtningenævnets baggrundsmateriale

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Turkey



2017 was another testing year for the LGBTI community in Turkey. In the months since our last Annual Review was published, the community has witnessed limitations of freedom of assembly and expression, as well as the repeated detention of the very human rights defenders who speak out against this repression.

Pride events in Istanbul – previously a loud and colourful display of solidarity - were banned by officials for the third time in three years, citing security concerns. Rubber bullets were then used by police to violently disperse LGBTI people and allies who attempted to march together.

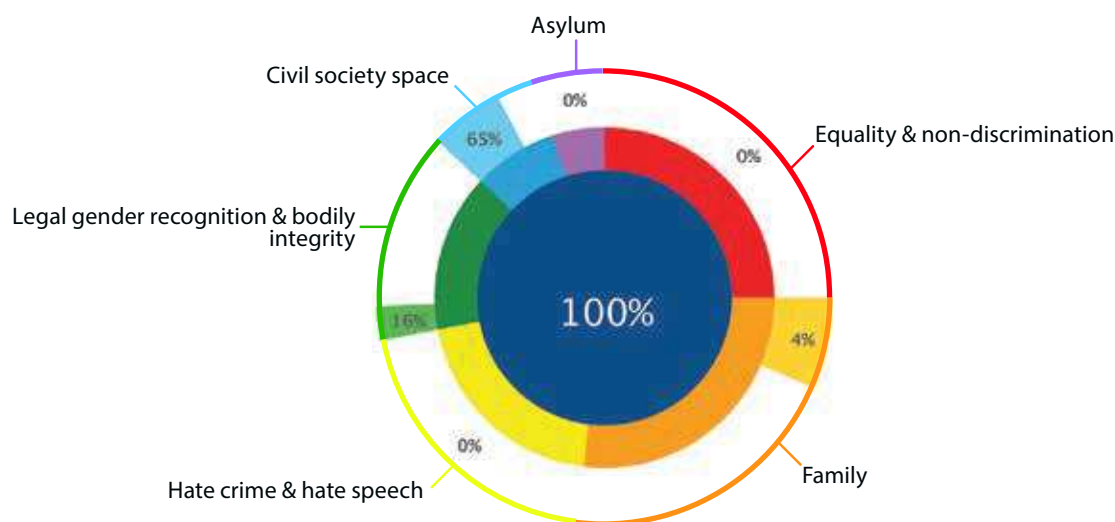
Another ban which attracted international condemnation was the one imposed on public LGBTI activities by the governor of Ankara. It was immediately challenged in court by LGBTI NGOs, as they could see the long-term impact of such a measure. (In early 2018, the first and the second instance courts rejected their applications for stay of execution of the ban.) The ban not only affects the LGBTI community members who wanted to take part in events in the capital, but it also had a chilling effect on organisers in other cities. In addition, the ban served to legitimise discrimination against LGBTI people generally. This only underlines the importance of legal protection for the community, something that is completely lacking in Turkey and a point that ILGA-Europe stressed in our Annual Review recommendations last year.

It is also a mark of the resilience and determination of the LGBTI movement in Turkey that, in spite of the oppressive atmosphere, they continue to push for change. And there were moments of optimism provided by successful court cases during 2017. In a major legal victory, the requirement for people to be sterilised before accessing the legal gender change process was struck down by the Constitutional Court.

That same court also established another precedent towards the end of the year, when it ruled that sex workers cannot be fined for waiting for clients in the street. However, the LGBTI community was shocked to learn that the individuals convicted of sexually assaulting LGBTI activist Kemal Ordek had their convictions overturned.

All Rainbow Europe information is available online at www.rainbow-europe.org

Legal and policy situation in **Turkey** as of 31 December 2017



In order to improve the legal and policy situation of LGBTI people, ILGA-Europe recommend:

- ➡ Introducing hate crime laws and policies that explicitly cover all bias-motivated crimes based on sexual orientation, gender identity and sex characteristics.
- ➡ Removing obstacles to the effective exercise of freedom of assembly, association and expression.
- ➡ Introducing hate speech laws and policies that explicitly include sexual orientation, gender identity and sex characteristics as protected grounds.