

## CALL FOR ACTION

This is a call to our friends and allies for solidarity and action! This call is rising from our frustration on the nonstopping hate crimes and deep worries about the closure case on Lambdaistanbul.

**On April 29<sup>th</sup>, one day before Lambdaistanbul's last hearing, we as LGBT activists will take our place on the streets of Istanbul and demand our rights once again.**

**With this call we ask from our friends and allies around the world to support us on the same day, by demonstrating in front of their local Turkish Embassies and creating international pressure.**

Please contact: Rüzgar from Lambdaistanbul ([rggozum@gmail.com](mailto:rggozum@gmail.com)) and Kemal from Kaos GL ([kord\\_ek@yahoo.com](mailto:kord_ek@yahoo.com)) about the actions.

Although being lesbian, gay, bisexual or transgender is not criminalised in Turkey, discrimination practices and persecutions of LGBT people are commonplace. Therefore, in this call, we as Kaos GL Cultural Research and Solidarity Association, Lambdaistanbul LGBTTT Solidarity Association and Pink Life LGBTTT Solidarity Association in Turkey, ask for solidarity and urge human rights NGOs and groups in Europe to take necessary actions against human rights violations of LGBT individuals in Turkey. **[These official bodies will be provided with possible strategies by us with a separate attachment when they are e-mailed.]**

Below, you will find the current major problems of LGBT people in Turkey, explained with real cases. In addition, the demands of LGBT rights organizations from the Turkish government.

### A. HATE CRIMES

1) LGBT people have been facing attacks and murders and unluckily, these crimes have increased contemporarily. Here are some examples of hate crimes from the passing year – both in the form of attacks and murders **[You will find an extra document in which hate crimes against LGBT individuals in two years are listed in detail]:**

- Ahmet Yildiz, a gay man, was shot to death on 15 July 2008, in Istanbul.
- Dilek Ince, a transsexual woman, was shot to death on 12 October 2008, in Ankara.
- Ebru Soykan, a transsexual woman, was stabbed to death on 10 March 2008, in Istanbul.
- Özkan Zengin confessed under police interrogation that he killed six gay men [Mehmet Naci Zeyrek, Ercan Coskun, Enes Arici, Yasar Mizrak, Aziz Tasdemir, Tarik Güzeller] in a year, from 2008 May to 2009 March.
- Melek D., a transsexual woman, was stabbed to death in her house on 11 April 2009, in Ankara.

2) We, as Kaos GL, Lambdaistanbul and Pink Life Associations are worried, since the number of hate crimes is increasing and the Turkish government does not take any necessary action in the form of enacting legislation and implementation. We urge the Turkish Government to:

- Find the attackers and murderers of LGBT people.
- Define attacks and murders against LGBT individuals as “hate crimes”.
- Stop decreasing the sentences based on “provocation” while punishing murderers or attackers of LGBT people.
- Amend the Turkish Penal Code (Article 122) in order to prohibit discrimination based on sexual orientation and gender identity.
- Amend the Turkish Constitution (Article 10) to give equal rights to LGBT people.
- Eliminate discrimination against transgender individuals in employment and develop programs that will open employment opportunities outside the sex work, which is carried out in dangerous conditions.

## **B. CLOSURE TRIAL OF LAMBDAISTANBUL LGBT SOLIDARITY ASSOCIATION**

- 1) There have been several issues with the freedom of organization in relation to LGBT associations in Turkey. In particular, the process of registration is depending on the goodwill of the administrative authorities. Contemporarily, the case opened against Lambdaistanbul LGBTTT Solidarity Association is in the main agenda of LGBT rights organizations, with current hate crimes.

Lambdaistanbul gained legal status in April 2006. An official demand to ban Lambdaistanbul LGBTTT Solidarity Association was lodged on June 9, 2006, on the basis that the concepts of “lesbian, gay, bisexual, transvestite and transsexual” (LGBTTT) listed in the name of Lambdaistanbul LGBTTT Solidarity Association and the aims of the association listed in the 2nd article of its charter were against general morality of Turkish society and Turkish family structure. The prosecution office in Istanbul reached a decision in February 2007 to allow the group to continue to operate. But after the prosecution rejected the demand for a closure trial in the name of freedom of organization, the Governor’s Office appealed. On 29 May 2008, the 3rd Civil Court of Beyoglu of First Instance ignored an expert’s report and dissolved the association on the grounds that it was inconsistent with “general morals” and “Turkish family values”. The 7th Judicial Office of the Supreme Court of Appeals has overturned the ruling of Istanbul’s 3rd Civil Court of First Instance, which had decided to close down the Lambda Istanbul LGBTTT Solidarity Association for a “violation of general morals”. The appeal court’s decision was taken on 25 November 2008, but in a six-page decree the court ruled that “sexual identity and orientation are facts that people do not choose of free will, but that stem from birth or upbringing and a person has no control over.” Ironically, we concerned that the Supreme Court of Appeals stated in its decision that " **..... the dissolution of the defendant association could still be demanded, if it would act counter to its charter, in the ways of encouraging or provoking lesbian, gay, bisexual, transvestite and transsexual behavior or acting with the aim of spreading such sexual orientations**" because such a statement may lead attempts to limit the freedom of association of LGBT individuals in the future.

The following case against Lambdaistanbul LGBTTT Solidarity Association will be seen in the 3rd Civil Court of Beyoglu of First Instance, on 30 April 2009.

- 2) Kaos GL, Lambdaistanbul and Pink Life Associations urge the Turkish Government to:
  - Eliminate the prohibition against “obscenity” in the Turkish Penal Code or, at the very least, clearly define what constitutes “obscenity” and ensure that the definition applies equally to homosexual, bisexual and heterosexual people.
  - Amend the Turkish Constitution in order to give equal rights to LGBT people. Article 10 of the Turkish Constitution contains a list of groups that must be treated equally before the law. This list must be amended to specifically guarantee the equal rights of gay, lesbian, bisexual and transgender (LGBT) people.
  - Amend the Turkish Penal Code (Article 122) in order to prohibit discrimination based on sexual orientation.