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TURKEY

ENSURE PRIDE MARCHES CAN SAFELY TAKE PLACE

On 14 June, the governorate of Izmir banned all Pride events. The governorate of Antalya followed suit the next day. Pride events in other cities have been prevented or are also at imminent risk of being banned, including in Istanbul where Pride events are at risk of closure for the fifth year in a row.

The clampdown on the LGBTI community in Turkey continues into 2019 despite this Pride season being the first to occur after Turkey's state of emergency ended in July 2018. The authorities must lift these unlawful bans and ensure that all Pride events can safely take place. They must protect the right to peaceful assembly without discrimination. This right is protected under Turkey's and international law and cannot be prohibited on vague grounds. The responsibility to maintain public order and to facilitate the enjoyment of the right to freedom of peaceful assembly lies with the state, including its law enforcement agencies.

Istanbul Pride, a peaceful and inclusive event organized since 2003, has been unlawfully prevented from taking place since 2015. A Pride march organized by students at the Middle East Technical University (METU) in Ankara on 10 May 2019 was violently broken up by police. Now, orders by Izmir and Antalya governorates from 14 and 15 June respectively, do not only ban the Pride marches but all planned Pride events in these cities on the grounds of hypothetical risks to public order and security, among others. The blanket bans are unlawful and must be urgently lifted. Preventing Pride events from taking place in these cities and others is a violation of the rights to peaceful assembly and to freedom of expression in Turkey.

Please send an email if possible, otherwise a letter, to the Minister of Interior.

* Call his attention to the planned Pride marches in several cities in Turkey, including Izmir (22 June), Istanbul (30 June) and Mersin (early July).

* Ask him to take all necessary steps to guarantee that Pride participants everywhere in Turkey can safely exercise their rights to peaceful assembly and freedom of expression and celebrate Pride.

Write to

Minister of Interior Süleyman Soylu
Devlet Mahallesi
T.C. İçişleri Bakanlığı
06580 Çankaya/Ankara
Turkey
Email: bakanlik.musavirligi@icisleri.gov.tr
Salutation: Dear Minister

Please copy

His Excellency Kerim Uras
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Additional information

On 14 June 2019, İzmir Governorate announced on its website that LGBTI community events planned between 17 and 23 June (the announced dates of the Pride week) are banned in İzmir province “to ensure residents’ peace and safety, right to physical integrity, [...] public safety, national security, public order, and to protect general morality or rights and freedoms of others, as well as to prevent possible violence and terrorism.” A day later, the organizers of the Antalya Pride week were informed of a two-week ban on the Pride march and other related events issued by Antalya governorate on similar grounds effective from 15 June.

This year’s İzmir Pride march, which has been taking place since 2013, is scheduled for Saturday 22 June. The third Antalya Pride week had been planned between 14 and 16 June, but the Pride march scheduled for Sunday 16 June could not take place due to the ban.

Hypothetical risks to national security or public order cannot establish legitimate grounds for prohibiting a peaceful assembly. The principles of necessity and proportionality require consideration of all relevant circumstances, the impact on the legitimate concern protected and the possibility that the risk will concretize, and whether less restrictive means would suffice.

States have a positive obligation to facilitate the right to peaceful assembly in law and in practice. As it is also the case in Turkish law, the exercise of the right to freedom of peaceful assembly is not subject to the permission of government authorities. This right is also protected under international law and standards in conventions Turkey is a party to. Any decision to disperse an assembly should be taken only as a last resort and carefully in line with the principles of necessity and proportionality, i.e. only when there are no other means available to protect a legitimate aim which outweighs the right of people to assemble peacefully.

In the context of a relentless crackdown on civil society in Turkey, the once growing and vibrant LGBTI movement’s visibility and ability to organize is being severely curtailed as a result of unjustified and unlawful bans over the last years.

These most recent bans are not the first ones of their kind in Turkey. Ankara governorate had imposed a blanket indefinite ban on all LGBTI events in Ankara on 18 November 2017 in the context of the state of emergency. The ban was only lifted by a court decision on 21 February 2019 as a result of an appeal by Ankara based LGBTI rights organisation KAOS GL. Pride march organized by students at the Middle East Technical University (METU) in Ankara on 10 May 2019 was violently broken up by police.

Celebrated annually since 2003, Istanbul Pride is at risk of being banned for the fifth year in a row. Istanbul Pride Parade has historically been the biggest event held by LGBTI activists and supporters in Turkey. It used to attract tens of thousands of participants and was once held up by the Turkish authorities as an example of their respect for human rights. The last time Istanbul Pride went ahead without restrictions was in 2014 when over 90,000 people attended a vibrant, inclusive and peaceful march. The repeated prevention of the Pride march in recent years is yet another example of the authorities’ widespread crackdown on dissent, the deterioration of the human rights situation in Turkey in general, and the authorities’ failure to uphold LGBTI rights.

Pride marches organized since 2015 in Mersin have also reportedly been prohibited over the years, where organizers had to limit their gatherings to reading out press statements. The fifth Pride week in Mersin is planned in early July, including a Pride march.