

7 August 2019

Turkey: Nineteen LGBTI+ rights defenders charged with “participating in unlawful assembly” and “resisting despite warning”

On 5 August 2019, 19 LGBTI+ rights defenders were informed of a criminal case that has been opened against them, relating to charges of “participating in unlawful assembly” and “resisting despite warning”; for their participation in the peaceful LGBTI+ Pride March which took place inside the campus of Middle East Technical University (METU) in Ankara on 10 May 2019.

The [METU LGBTI+ Solidarity](#) is a student group established in 1996, working to secure gender equality, eradicate on-campus LGBTI+ phobia, and ensure that the university is a safe space for LGBTI+ people. In recent years, the Rectorate has been prohibiting the organisation of student events concerning LGBTI+ issues, including by cutting electricity, inviting security forces to the campus, and opening administrative investigations against the organisers. METU LGBTI+ Solidarity has nonetheless organised Pride Marches on campus in a peaceful way every May since 2011.

In November 2017, under the state of emergency, a blanket indefinite ban on public events focused on LGBTI+ rights was issued in Ankara. Despite the end of emergency rule in July 2018, the Ankara Governor’s office did not lift the ban. On the contrary, on 3 October 2018, the Governor’s office informed law enforcement and other relevant authorities of a new ban, without giving any indication of when it would end.

On 19 April 2019, the Ankara Administrative Appeals Court lifted the ban introduced under the state of emergency, on the grounds that it was unlawful and restricted rights and freedoms in unconditional, vague, and disproportionate ways. The Court underlined the state’s duty to take security measures to protect peaceful assemblies and events, instead of banning them. Although the legal proceedings against the second ban remain ongoing, the Court’s decision to lift the ban imposed under the state of emergency demonstrates that the new ban issued on the same grounds is also manifestly unlawful.

On 6 May 2019, shortly before the METU Pride March, the university’s Rector, Mustafa Verşan Kök, had sent an email to all students, graduates, and faculty members, informing them that the Rectorate did not allow the event. He referred to the second ban on LGBTI+ events in Ankara and warned that the Rectorate would ask the Ankara Police to intervene if the event took place. When the event took place on 10 May 2019, the police, invited by the Rectorate, used pepper spray, plastic bullets and tear gas to disperse students. Twenty-one students and one professor were taken into police custody. They were all released later at night. Shortly after, the university opened administrative investigations against the students who participated to the METU LGBTI+ Pride March. On 5 August 2019, 19 LGBTI+ rights defenders were notified that a criminal case had been opened against them, related to the charges of “participating in unlawful assembly” and “resisting despite warning” for their participation in the Pride March.

Since the METU Pride March, LGBTI+ rights defenders in the university have been subjected to several attacks, including threats and insults on social media, judicial harassment and smear campaigns. The students from METU LGBTI+ Solidarity were labelled as “perverts” and “terrorists with secret agendas” on pro-government media with their photos and names periodically published.

In June 2019, following a letter sent by Ankara Provincial Directorate of Security, the Credit and Dormitory Directorate which is a public entity that provides scholarships and loans to students, decided to terminate all scholarships and loans of the students who participated to the METU LGBTI+ Pride March. While the exact number of students whose scholarships were terminated is unknown, a parliamentary question in regard to the numbers and the grounds of this decision is still pending.

On 30 June 2019, on the day of METU’s graduation ceremony, the houses of six students who had participated or supported METU LGBTI+ Pride March (two of them members of METU LGBTI+ Solidarity) were raided by heavily armed police officers from the Anti-Terror Branch at 5 am. Four of the students were present at home and taken into custody, and released at night after an interrogation. Two other students were interrogated in the following days. . During their interrogations, they were asked questions regarding their alleged relations to “terrorist organisations”, their sexual orientation, about protests they were allegedly planning to organise during the graduation ceremony, as well as whether they were planning “something like the Gezi protests” during the ceremony. The investigation remains ongoing but since it is confidential, the students do not have any further information about the accusations against them.

Front Line Defenders condemns the ongoing judicial harassment against the LGBTI+ rights defenders and the violation of the students’ right to freedom of assembly by the METU Rectorate, based on an unlawful ban on LGBTI+ events. Front Line Defenders believes that the students are being targeted solely as a result of exercising their fundamental rights to freedom of expression and peaceful assembly, guaranteed under domestic and international law. Front Line Defenders is further concerned about the ongoing criminalisation and marginalisation of LGBTI+ rights defenders in Turkey, as well as the use of violence by the police against those exercising their right to freedom of assembly.

Front Line Defenders further calls on the METU Rectorate to refrain from actions violating the right to peaceful assembly of students defending LGBTI+ rights; to close the administrative investigations opened against the students; to ensure that the university is a safe space for LGBTI+ people and human rights defenders; to establish healthy communication channels with students and to consider the invitation of the police to the campus as a last resort reserved for the most extreme cases and only for the security of the students.

Front Line Defenders calls on the Turkish authorities to:

1. Immediately drop all charges and close the investigation against the LGBTI+ rights defenders who participated in the METU Pride March,
2. Carry out an immediate, thorough and impartial investigation into the police brutality during the event, with a view to publishing the results and bringing those responsible to justice in accordance with international standards.
3. Guarantee in all circumstances that all human rights defenders in Turkey are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.