

# Joint statement: End hate speech and targeted attacks against LGBTI people in Turkey

*We call on Turkey to respect, guarantee, protect and fulfil the fundamental rights of the LGBTI community without discrimination as enshrined by its Constitution and equality article therein (article 10), and ratified by human rights treaty bodies.*

ILGA-Europe (08.05.2020) – <https://bit.ly/3bou2X0> – We, the undersigned human rights organisations, are concerned about rising hateful rhetoric against the LGBTI community by representatives of high-level religious and political institutions in Turkey which we have seen in the last week.[1] These efforts are part of a broader backlash on human rights targeting various minorities. Considering the systematic attacks and bans that Turkey's LGBTI movement has experienced at the hands of Turkish authorities since 2017,[2] the statements by the chief of religious affairs and endorsed by President Erdogan are yet another escalation of an ongoing attack from state institutions against the LGBTI community, and further endanger the work of LGBTI rights defenders in the country. The attacks on the LGBTI community unfortunately have become exemplary of efforts by the Turkish government to undermine human rights and the rule of law in the country.

It is particularly concerning that the Turkish government is using the moment of the global COVID-19 pandemic to undermine the fundamental rights of marginalized groups in society.

Stirring up hatred could exacerbate existing inequalities and likely lead to further discrimination in the provision of health care services, employment and other services that are vital in times of crisis. It may also lead to arbitrary arrests, ill-treatment, persecution and surveillance by law enforcement authorities – who might feel that such acts are condoned or even encouraged by the government.

The Turkish government has an obligation to protect everyone from hate crime and discrimination, and should not be part of any statements that could encourage hate crimes and target a minority group, including LGBTI people. Turkey's government should ensure that all of its representatives refrain from making statements that stigmatise lesbian, gay, bisexual, transgender and intersex (LGBTI) people and people living with HIV, and which put them at risk of harassment and attacks. Human rights defenders should not be criminalised for speaking out against homophobic statements by state officials, and therefore criminal investigations against those speaking out, such as the Ankara and Diyarbakır Bar Associations, should be dropped immediately.

We reiterate the statement of the United Nations Special Rapporteur on freedom of religion or belief, in which he clearly states that religious beliefs cannot be used to justify LGBTI rights violations nor be invoked as legitimate 'justification' for violence or discrimination against LGBTI people, and that the right to freedom of religion protects individuals and not religions as such.[3]

We recall that as a founding member of the United Nations, Turkey pledged to protect inherent dignity and the equal and inalienable rights of all members of the human family.[4] In

addition, as a Member State of the Council of Europe and having ratified the European Convention of Human Rights, Turkey must uphold European human rights law, which prohibits a discriminatory application of human rights.

We call on Turkey to respect, guarantee, protect and fulfil the fundamental rights of the LGBTI community without discrimination as enshrined by its Constitution[5] and equality article therein (article 10), and ratified by human rights treaty bodies. The Turkish government should ensure that all of its representatives refrain from making statements that stigmatise LGBTI people and people living with HIV, and which put them at risk of harassment and attack.

### ***Background information***

During the Friday sermon (khutbah) on April 24, the President of the Directorate of Religious Affairs, Ali Erbaş targeted[6] LGBTI people and people living with HIV. He equated homosexuality with a disease, stating that “hundreds of thousands of people a year are exposed to the HIV virus caused by this great haram, which passes as adultery in the Islamic Literature”. [7] Moreover, the President of the Directorate of Religious Affairs insinuated that lesbian and gay people were to blame for the COVID-19 outbreak. This is not the first instance of hate speech by the Directorate of Religious Affairs, but this time the statement received the support of other political leaders.

Within days, several leaders came out to publicly support Erbaş. The Presidential Spokesperson and Chief Advisor,

İbrahim Kalın, commented that Ali Erbaş “put the divine truth into words”. The Minister of Family, Labour and Social Services, Zehra Zümrüt Selçuk, commented that Erbaş’ words “remind us of our religious values in order to protect our families and generations during Ramadan”. The Parliamentary Human Rights Investigation Commission Spokesperson, Osman Nuri Gülaç, added that “the future of humanity is only possible through legitimate marriages” and referred to LGBT lobbies commanding academia, politics and media in many countries in the world.[8]

On April 27, the Ankara Branch of the Human Rights Association (IHD) filed a criminal complaint against Ali Erbaş in order to “prevent hate crimes, discrimination and gender inequality”. The Ankara, Diyarbakir, Istanbul, and Izmir Bar Associations joined the call condemning the sermon, noting that it raises concerns about the usurping of a ceremony of faith-based values to openly incite hatred and discrimination towards a minority. On the same day, the Ankara Public Prosecutor’s Office started an investigation against the Ankara Bar Association on the grounds of “insulting religious values that a part of the society has embraced”. The Bar Association of Diyarbakir is also the object of an investigation under the same grounds.[9] The next day, President Erdogan commented that “An attack on our Diyanet[10] head is an attack on the state.” Such attacks on the fundamental rights of LGBTI people represent a serious threat to respect for fundamental rights generally in Turkey.

**ILGA-Europe – the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association**

**International Federation for Human Rights (FIDH)**

## **Front Line Defenders**

**IGLYO – The International Lesbian, Gay, Bisexual, Transgender, Queer & Intersex Youth and Student Organisation**

## **Civil Rights Defenders**

**Human Rights without Frontiers**

**The Netherlands Helsinki Committee**

**International Rehabilitation Council for Torture Victims**

**International Partnership for Human Rights (IPHR)**

**World Organisation Against Torture (OMCT) – Europe**

**Amnesty International**

[1] See background information

[2] ILGA (23 February 2018), “Ankara ban on LGBTI events continues as Turkish courts reject NGO appeals”, accessible on <https://www.ilga-europe.org/resources/news/latest-news/ankara-ban-lgbti-events-continues>, and ILGA (29 June 2018), “Joint public statement from Amnesty International, ILGA-Europe and All Out ”, accessible on <https://www.ilga-europe.org/resources/news/latest-news/joint-public-statement-istanbul-pride-2018>

[3] UNOHCHR (2 March 2020), “States should not use religious beliefs to justify women and LGBT+ rights violations – UN expert”, accessible on <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25644&LangID=E> (retrieved May 4 2020)

[4] The United Nations. (1948). Universal Declaration of Human Rights accessible on <https://www.un.org/en/universal-declaration-human-rights/>

[5] The Constitution of the Republic of Turkey (1982), translation by Erhan Yasar <https://www.diyamet.gov.tr/en-us/Content/PrintDetail/29501>

[6] <https://www.diyamet.gov.tr/en-us/Content/PrintDetail/29501>

[7] <https://www.youtube.com/watch?v=naAfk2jE3fc>

[8] Kaos GL, (28 April 2020), "What happened after the hateful khutbah of the Religious Affairs Administration of Turkey?", accessible on <https://www.kaosgl.org/en/single-news/what-happened-after-the-hateful-khutbah-of-the-religious-affairs-administration-of-turkey> (retrieved on 29 April 2020).

[9] Duvar (29 April 2020), "Prosecutors' investigation widens to include Diyarbakır Bar Association after criticism of top cleric", accessible on <https://www.duvarenglish.com/human-rights/2020/04/29/prosecutors-investigation-widens-to-include-diyarbakir-bar-association-after-criticism-of-top-cleric-comments-on-lgbt/> (retrieved 29 April 2020).

[10] The Directorate of Religious Affairs (Turkish: Diyanet İşleri Başkanlığı, normally referred to simply as the Diyanet)