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## **Turkish academic in Canada caught up in Ankara's anti-Kurdish sweep**

***Cihan Erdal, a Ph.D. candidate at Carleton University and permanent resident in Canada, has been held since late September on alleged terror links.***

By Amberin Zaman

Al-Monitor (28.10.2020) - <https://bit.ly/3jPXIk0> - Cihan Erdal, a promising Turkish academic at Canada's Carleton University with an unshakeable faith in his country's future, never imagined he would mark his 32nd birthday away from his loved ones in a dark prison cell in the Turkish capital, Ankara, facing a potential life sentence.

Erdal, who is openly gay, is among 20 politicians, lawyers and civil society activists who were detained in nationwide raids Sept. 25 over alleged terror links.

Many were from the left-leaning and Kurdish-friendly Peoples' Democratic Party (HDP). The group has been the target of years of intense judicial pressure buttressed by the unremitting and very vocal vilification of its members by Turkey's authoritarian President Recep Tayyip Erdogan. Many of the HDP's top leaders, including former co-chairs Selahattin Demirtas and Figen Yuksekdag, and multiple popularly elected mayors are behind bars on a panoply of thinly evidenced charges that they are acting in concert with outlawed Kurdistan Workers Party (PKK) rebels.

HDP officials believe the detentions are part of a broader government effort to lay the ground for banning their party and that like countless other arbitrarily detained innocents, Erdal was caught in the judicial dragnet.

Erdal was in Istanbul where he was carrying out research for his doctoral dissertation on youth-led social movements in Europe when anti-terror police burst into his rental flat at 9 a.m. and hauled him away in his shorts and sandals, not letting him bring any personal belongings, not even a toothbrush. They took him to the Ankara prosecutor's notorious Bureau of Investigation for Terror Crimes, where he was held in solitary confinement in a windowless room for three days before being transferred to Ankara's Sincan maximum security prison to await trial.

"It was Cihan's first experience of jail, and to kick it off in a maximum security facility was pretty unsettling for him, as you can well imagine. Jail is a very frightening and often brutal place for LGBT people in Turkey," said Levent Piskin, a prominent LGBT activist and one of

three lawyers representing Erdal in Turkey. "Fortunately, he has not been subjected to any physical ill-treatment so far."

After three weeks of persistent nagging, lawyers secured Erdal's transfer to a less restrictive wing where he shares a cell with two other inmates and has access to TV and some reading materials. He has started teaching English to one of them.

The latest sweep is connected to the prosecution's case against the alleged instigators of bloody demonstrations that erupted in October 2014 in response to the government's perceived indifference to the siege of the Syrian Kurdish town of Kobani on the Turkish border by the Islamic State. At least 37 people, some 33 of them HDP sympathizers, died in the orgy of violence that ripped through towns and cities in Turkey's mainly Kurdish southeast region. Hundreds of others, including policemen, were wounded during the unrest that unfolded as the Turkish government was in secret peace talks with the PKK.

According to the Ankara chief prosecutor's public statement, HDP co-chairs and members of its executive committee had provoked the violence by calling on people to take to the streets and support the demonstrators via social media.

Most of the people arrested Sept. 25 were serving on the HDP's executive committee during the Kobani incidents in 2014. Erdal was among them. He had been drafted from Turkey's burgeoning Green Movement as the HDP sought to expand its platform beyond the Kurdish issue and win support across Turkey. The strategy paid off. The HDP won seats in parliament for the first time in the June 2015 elections, robbing Erdogan's Justice and Development Party (AKP) of its parliamentary majority, with millions of non-Kurds voting for the charismatic Demirtas. His success proved his undoing. Erdogan decisively pulled the plug on peace talks with the PKK. A 2½-year cease-fire with the rebels fell apart. The assault on the HDP began in earnest in the wake of the failed July 2016 coup. Demirtas and Yuksekdag were jailed soon after and deluged with a cocktail of outlandish charges. Thousands of fellow HDP members and sympathizers remain behind bars on similar grounds of aiding and abetting terrorists.

Erdal relinquished his HDP duties in 2015 and moved to Canada in 2017. He has steered clear of politics ever since. Erdal's detention has received wide media coverage in Canada. More than 2,500 academics worldwide, including famed scholars Noam Chomsky and Judith Butler, have signed a petition demanding the Canadian government support his release. Diplomatic sources argue, however, that since Erdal does not hold Canadian citizenship, there is little the Canadian authorities can do to press his case.

"We were planning to get married next year," said Omer Ongun, a dancer turned consultant who was the first of the pair to move to Canada for work. The couple has been together for 11 years. "Now the whole world knows," the 33-year-old told Al-Monitor in a Skype interview.

He said Erdal had no qualms about returning to visit his parents and do fieldwork for his dissertation despite the cloak of repression enveloping Turkey. "He believes there's a better future for Turkey where people of different ethnicities and creeds can co-habit peacefully. He's never given up and he won't; we won't," said Ongun.

"I know Erdal, and he was one of the most naive people in the party; he wouldn't hurt a fly," said Garo Paylan, an HDP lawmaker. This is literally true, according to Erdal's father, Gurhan, who grows olives in their native province of Manisa and calls Ongun "my third son."

"When Cihan helped out on the farm, he would not allow me to use pesticides, saying 'those insects are living beings too, father.' My boy is gold," he told Al-Monitor.

The investigation has been slapped with a secrecy order, thereby restricting lawyers' access to the files. But Piskin said the substance of Erdal's interrogation suggests the case against him rests on his membership of the committee and a tweet he had posted with the hashtag #Kobaniisresisting. Piskin told Al-Monitor the case was "full of holes." If he had committed a crime, why had it taken prosecutors six years to come up with the charges against him? Erdal had already been interrogated once in 2015 over his HDP connections, and no charges were brought against him at the time.

Like many, Paylan is convinced the Kobani charges are being resurrected in order to paralyze the HDP in the run-up to presidential and parliamentary elections that are due to be held in 2023. Should the party fail to scale the minimum 10% of national votes needed to win seats in parliament, this would give Erdogan and the AKP a comfortable majority and lessen their current dependency on the nationalists. "They want to annihilate us; it's clear," Paylan said. He and six fellow HDP lawmakers are facing prosecution over the Kobani riots as well. Prosecutors have initiated steps to strip them of their parliamentary immunity.

Others argue the government wants to shut the HDP down altogether. Proving the party was involved in violence would make any closure easier to justify — that is, assuming the government would even bother to.

Prosecutors have yet to draw up an indictment, and no trial date has been set.

"This is another case of the prosecutor's office in Ankara taking down from the shelf a dusty folder that is about an investigation launched into these protests about the Kobani siege in October 2014 that the AKP has instrumentalized constantly against the HDP, especially against Demirtas. It's the pretext under which Demirtas is currently held under detention," said Emma Sinclair-Webb, Turkey director for Human Rights Watch.

"In calling for people to express solidarity with the Kurds of Kobani, to be critical of the government policy on Kobani and expressing that democratic right to protest, it's very clear that Demirtas and the HDP were not calling for violence," she told Al-Monitor.

"Yet the prosecution presumes that a political party that made this call could have foreseen that this would turn very violent and then holds the party responsible for armed separatism, inciting crime, murder, everything. The lie in all of this is that you are saying the people who called for demonstrations were actually responsible for murder," Sinclair-Webb added.

The arbitrary nature of the case was on full display when Ayhan Bilgen, a former HDP lawmaker, became the last big-city mayor to be effectively ousted from office when he was detained in the Sept. 25 sweep. Bilgen, who stepped down as co-mayor of the eastern city of Kars in the wake of his arrest, had spent several months in pre-trial detention on the exact same charges — acting under the orders of the PKK to stoke violence over Kobani. The constitutional court struck them down, ordering the state to compensate Bilgen for his unlawful detention. "This is how they compensated him," Paylan said.

Bilgen and Erdal are now neighbors in the same block of cells. On Oct. 22, the sound of Bilgen's voice filled the air as he sang a happy birthday song for Erdal. "He has a lovely voice," Erdal wrote in a letter to Ongun, his first from prison, that was relayed by a common friend from Turkey today.

## Turkey's 'hedonist' singles become new target of AKP heavyweight

***Numan Kurtulmus, deputy chair of Turkey's ruling Justice and Development Party who opened a Pandora's box on the Istanbul Convention, has come under fire once more for remarks on "over hedonist singles."***

By Nazlan Ertan

Al-Monitor (22.08.2020) - <https://bit.ly/3IIN3d2> - Numan Kurtulmus, deputy chair of the Justice and Development Party (AKP) is used to the rage of women. In July, he opened a Pandora's box on the Istanbul Convention, an international accord that combats violence against women and domestic violence, by saying that its ratification had been a mistake. The debate that followed has taken thousands of women across the country to the streets, resulted in several online campaigns and created a crack in the ruling party on the future of the convention.

Next, the AKP heavyweight turned an accusing finger to the country's 3 million-plus single population. Invited to speak at a conference of Turkey's civil servants union, MEMUR-SEN, Kurtulmus lauded the family as the "strong foundation" and the "stem cell" of the Turkish nation. "Undermining the family is one of the most cunning [means] to destroy a nation," he said. "Strong individualism, coupled with hedonistic trends ... have put dynamite in the foundations of the family. ... [Those individualists] who live alone and see marriage as unnecessary are among the main problems we see now against the family and its values."

His portrayal of "people who live alone" and "have no intention of marrying" as hedonistic and "troublesome" have spurred hundreds of witty rejoinders on social media. But the butt of the jokes was on Devlet Bahçeli, chair of the Nationalist Movement Party and a confirmed bachelor at the age of 71. "Being left out of the Cabinet seems to have taken its toll [on Kurtulmus] who has not realized that his words may end up targeting [his party's] small ally," tweeted Haluk Ilıcak, a former ambassador. Others have called upon Bahçeli to block Kurtulmus, mocking the remarks with the hashtag #therootofmytroubles.

Faced with ridicule, Kurtulmus hastened to explain himself through a wave of statements to favored columnists and TV channels. "My words were taken out of context. I have many friends who live alone and it is unthinkable that I [criticize] them," he told Murat Celik of Posta, adding that he expressed a nostalgia for larger families and that what he meant with singles was "single parents" or people with "alternative lifestyles." In a statement to the semi-official Anadolu News Agency, he spat fire at "attempts to undermine the family" or "pit men and women against each other" — a thinly veiled reference to the Istanbul Convention that he called earlier as a front of the LGBT lobbies.

Family and family values have been at the heart of the social, cultural and economic policies of the AKP ever since its foundation in 2001. The party's program underlines that the party "prioritizes policies related to the family" that it sees as the foundation of Turkish society. The party members' general take on women leans on women's role within the family rather than as an individual — a belief demonstrated by the fact that the government changed the name of Women and Family Affairs Ministry to Family and Social Services Ministry in 2011 and then merged it with the Ministry of Labor in 2018.

Government members regularly tout statements on marital bliss and sacred motherhood, often dissing women who are neither married nor have children. In 2015, Mehmet Muezzinoglu, then-minister of health, said women should put "no careers except motherhood" at the center of their lives. In 2016, President Recep Tayyip Erdogan referred to women who refused to embrace motherhood as "unnatural and incomplete."

In January, the president chided the new generation for not getting married until they are in their 30s or not getting married at all, though the average age of marriage in Turkey is still 24.8 for women and 27.8 for men; the number of people who marry after age 30 increased 15% between 2012 and 2018. The president's remarks created trending topics on social media, where online humorists joked about unmarried men and women secretly meeting at singles bars or reminding the president that his own daughter Sumeyye, vice chairman of women's rights group KADEM that upholds the Istanbul Convention, married after 30. Others quipped about a "spinsters tax."

"Like most conservative parties around the world, the AKP's ideal woman is one who is married early in life, has three children and holds a job that will not undermine her responsibility and role in the family," Seyda Taluk, a political communications expert and the author of "How to Win Elections," told Al-Monitor. "The AKP owes a good deal of its power to women — who have voted for him and worked as soldiers in the party ranks at each and every election. The party has also taken conservative women out of the house, allowed headscarves to be worn at universities, and nominated women in parliament and in decision-making positions. But the stance of some party members and cronies on a number of issues — the Istanbul Convention, role of women as homemakers, insistence on patience in marriage — simply no longer sit well with its female members and supporters."

The biggest flashpoint is currently to do with the Istanbul Convention, which was signed by Turkey in 2011. Erdogan — who is expected to have the last word on whether to stay in the convention or not — has yet to do so, though he said last week that Turkey needed to create and strengthen its own legal framework against violence. On Aug. 20, daily Hurriyet reported that Turkey would seek to propose some changes to the convention's Article 4 and Article 6, which refer to gender and sexual orientation.

Following a party meeting Aug. 18, AKP spokesman Omer Celik said that the assessment of the issue was ongoing and that the government was "listening to all sides, except those who express their opinions by insulting women." He was referring to arch-conservative columnist Abdurrahman Dilipak, who called the supporters of the Istanbul Convention "prostitutes." Dilipak was slapped with lawsuits both from KADEM and AKP women's branches. The columnist finally sent an open letter of apology to the president, saying his remarks targeted the LGBT community and not female activists.

"We want to empower women and protect the family — we do not think these two are mutually exclusive," Celik said.

"AKP women have flexed their muscle and they were heard," said Can Selcuki, general manager of Istanbul Economics Research and a pollster who coined the term "restless conservatives" to refer to those looking for leadership in other places than the AKP. "They have participated in one of the lengthwise movements, as women of all walks of life took to the streets against violence and femicides."

Asked how the tensions between the AKP's female supporters and the party's old guard will play out mid-term, Selcuki replied that he was not sure that the young female conservatives' vote would leave the AKP and go to one of the new parties founded by Ali Babacan or Ahmet Davutoglu. "At the end of the day, they still believe that they can search their rights through the AKP," he said.

## **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.diyagnet.gov.tr/en-us/Content/PrintDetail/29501>

[6] <https://www.diyagnet.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)

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## **Criminal case for opposing homophobic speech**

### ***End stigmatization of LGBT people, investigation of bar associations.***

HRW (01.05.2020) - <https://bit.ly/2SzVxGj> - The Ankara Prosecutor's office in Turkey has opened a criminal investigation into the Ankara Bar Association after it filed a complaint against the head of Turkey's Religious Affairs Directorate for a homophobic speech, Human Rights Watch said today.

The case revolves around a Friday sermon about the Covid-19 pandemic on April 24, 2020 by Ali Erbaş, an imam who heads Turkey's Religious Affairs Directorate, which administers mosques and personnel for Turkey's Sunni Muslim majority. During the sermon he blamed homosexuality and premarital sex for the spread of HIV. Erbaş urged Muslims "to join the fight to protect people from such evil." Following criticism of Erbaş by rights groups and bar associations in Ankara, Izmir, and Diyarbakir, several top Turkish officials, including President Recep Tayyip Erdoğan, voiced their support for Erbaş's remarks and condemned the Ankara Bar Association for criticizing Erbaş's speech.

"It is extremely concerning to see some of Turkey's top government representatives appearing to endorse hateful remarks by the head of the religious affairs directorate," said Hugh Williamson, Europe and Central Asia director at Human Rights Watch. "Turkey's government has an obligation to protect everyone from hate crimes and discrimination, and should not tolerate statements by officials that encourage hate crimes and target LGBT people and those living with HIV."

Turkey's government should ensure that all of its representatives refrain from making statements that stigmatize lesbian, gay, bisexual, and transgender (LGBT) people and people living with HIV, and that put them at risk of harassment and attacks, Human Rights Watch said. Criminal investigations into those who speak out against homophobic statements by state officials should be dropped immediately.

The Ankara Bar Association filed a complaint against Erbaş with the Ankara chief prosecutor's office on April 27, 2020 on the grounds that Erbaş's sermon constituted public provocation to hatred and hostility (art. 216/2 of the Turkish Penal Code). In response, the Ankara prosecutor's office opened an investigation into the Bar Association on the grounds of "insulting the religious values adopted by a part of the public" (art. 216/3 of the Turkish Penal Code) for its statement against Erbaş.

The justice minister endorsed the criminal investigation by posting a tweet after the prosecutor opened the case condemning the Ankara Bar Association's statement. The Justice Ministry has to grant permission to prosecutors to proceed with prosecuting lawyers and bar associations. The Diyarbakir Chief Prosecutor's Office filed a similar investigation on the same grounds against the Diyarbakir Bar Association. The websites of both Ankara and Diyarbakir Bar Association have been inaccessible since April 28. Both bar associations told Human Rights Watch that their websites had been targeted, but it was unclear by whom.

The Turkish authorities have obligations under international and domestic law to ensure that the rights of the entire population are upheld and protected without discrimination. Fulfilling that obligation means they should censure, not support, officials who make hateful speeches against LGBT people and any other group at risk of harassment, Human Rights Watch said.

The Turkish authorities have systematically prevented LGBT events and the annual Pride Parade in Istanbul since 2015. Nineteen students from Ankara's Middle East Technical University (METU) remain on trial for organizing and attending a Pride Parade on campus in May 2019.

"These outrageous criminal investigations show that the government and their prosecutors have little, if any, interest in defending the rights of LGBT people and ending stigmatization, but are obsessed with silencing critics, including of hate speech," Williamson said. "The investigations should be dropped immediately, and authorities should focus on encouraging tolerance, nondiscrimination, protection from hate crimes, and upholding privacy for everyone."