



Resolution on the restrictive measures taken on the freedom of expression, assembly and association towards LGBTQI persons and organisations in Turkey

COUNCIL OF MEMBERS/ GENERAL ASSEMBLY
BRUSSELS, BELGIUM, 20-22 APRIL 2017

With the support of the Council of Europe Advisory Council on Youth



The European Youth Forum, having considered the recent developments in Turkey, notably:

- The refusal by the Turkish state to recognize sexual orientation, gender identity, gender expression and intersex status (SOGIE) at legislative and policy levels, such as the exclusion of SOGIE in Turkey's Human Rights and Equality Law;
- The high levels of hate crime against the LGBTQI persons and community, especially against trans people;
- The limiting of freedom of the press by the government, using statutory decrees under a declaration of "State of Emergency" to shut down associations and foundations, specifically targeting pro-LGBTQI actors;
- The infringement of the freedom of expression, assembly and association by police and government authorities, by inter alia banning Pride marches and the use of excessive force, such as tear gas, water cannons and rubberbullets;
- The censorship of LGBT websites and publications;
- The failure to protect meetings and assemblies of LGBTQI organisations when threatened by religious groups;
- The usage of discriminatory language, executive and legal motions by leading politicians and authorities.

The European Youth Forum, observes:

Turkey is a party to the Council of Europe European Convention on Human Rights, Convention on Preventing and Combating Violence Against Women and Domestic Violence, and the UN Universal Declaration of Human Rights , International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). These conventions protect LGBTQI persons human rights without discrimination.

Turkey's newly adopted Human Rights and Equality Law does not include discrimination based on sexual orientation and gender identity. Furthermore, neither legislation, nor implementation of legislation in Turkey is LGBTQI sensitive.

The European Youth Forum, acknowledges:

The LGBTQI community in Turkey have suffered violations and infringements of inter alia, the freedom of expression, assembly and organisation. Further, the LGBTQI organisations and activists have not received the appropriate protection from extremist groups.

Therefore, the European Youth Forum and its member organisations,

Reaffirm their commitment to the Policy Paper on Equality and Non-Discrimination adopted by the Council of Members of the European Youth Forum in 2016;

Condemn all violence, hate speech, hate crimes, violation of freedom of assembly, association

and expression in Turkey specifically targeting LGBTQI persons and organisations;

Condemn the homophobic, transphobic and racist targeting of LGBTI refugees in Turkey and their difficulties to access international protection;

Support the LGBTQI organisations in Turkey, specifically youth organisations, in their work towards equality and human rights for all;

Support the development of a plan to adopt a legal framework for the protection of LGBTI people and to prevent homophobic and transphobic hate crimes and discrimination;

Commit to continue following the situation for LGBTQI youth in Turkey, and to address the current situation and any possible future violations of LGBTQI young person's human rights in Turkey;

Appeal to the Council of Europe, the EU, UN and other international organisations and institutions that the YFJ works with to include LGBTQI related issues more extensively into their policy-making and implementation. Specifically, by having more contact with LGBTQI organisations in Turkey;

Urge the Council of Europe, other European and international organisations to ensure full inclusion of representatives of LGBTQI organisations and movements in Turkey and independent actors into a dialogue on shaping agendas and programmes on LGBTQI youth related issues;

Urge the Council of Europe, the EU, UN and other European and international organisations and institutions to foster democratic values, in particular in relation to LGBTQI young persons, as well as a responsible attitude towards international treaties, respect for civil, political, economic, social and cultural rights of young people in Turkey;

Emphasise the importance of targeting educative programmes, campaigns and other tools for the general Turkish public;

Reaffirm the urgency of law enforcement having the adequate tools and education needed to deal with such hate crimes;

Urge the Sexual Orientation and Gender Identity Unit within the Council of Europe to monitor the situation in Turkey as well as to deploy all tools necessary in order to encourage the protection of LGBTQI+ persons within the region;

Support the end of censorship restricting LGBTI expression in the media enabling the LGBTQI community to express themselves on a public platform;

Recognise that LGBTQI+ discrimination is a violation of human rights law and therefore a holistic approach to human rights enforcement and education should be adopted.