Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11796
26 January 2009

End violence and discrimination on the basis of sexual orientation and gender identity in Turkey

Written question No. 557 to the Committee of Ministers
by Mr Mike HANCOCK, United Kingdom, Alliance of Liberals and Democrats for Europe

The decision of Turkey's Supreme Court of Appeals, announced on 27 November 2008, to overturn the decision of a lower court ordering the closure of Lambda Istanbul, a group advocating for lesbian, gay, bisexual and transgender (LGBT) people's human rights, is very much to be welcomed.

However, a recent report by Human Rights Watch, "*We Need a Law for Liberation" -- Gender, Sexuality, and Human Rights in a changing Turkey,* makes it clear that the human rights challenges faced by LGBT people in Turkey are not limited to freedom of association. The report documents, *inter alia:*

– disturbing evidence of endemic homophobic violence;

– detailed accounts of police malpractice and violence;

– vague laws on, for example, "offences against public morality" which are used to harass LGBT people;

– the violence and harassment faced by some lesbians and bisexual women, particularly in the context of family "honour";

– the extreme prejudice and social exclusion faced by many transgender persons;

– Turkey's treatment of gay men and transgender persons in the armed forces, which is in violation of judgments of the European Court of Human Rights.

Recalling the European Convention for the protection of Human Rights and Fundamental Freedoms to which Turkey is a signatory,

Mr Hancock,

To ask the Committee of Ministers,

what action the Committee of Ministers is to undertake to request Council of Europe member state Turkey to outline what plans Turkey has to implement the recommendations in the Human Rights Watch Report in order to end violence and discrimination on the basis of sexual orientation and gender identity namely with regard to:

– the enactment of a comprehensive non-discrimination law containing specific protections against unequal treatment based on sexual orientation and gender identity in all areas of life;

– the elimination of vague laws used to harass LGBT people;

– the amendment of military policy to eliminate sexual-orientation and gender-identity based exclusion from the armed forces;

– measures to ensure full respect and legal recognition for each person's profound self-esteem;

– the training of all criminal justice system officials on principles of human rights and non-discrimination as they relate to LGBT people;

– the adequate investigation and prosecution of crimes of violence and rape against LGBT people;

– ensuring that measures to address domestic violence are applied without discrimination and in a manner sensitive to issues of sexual orientation or gender identity;

– ensuring that LGBT organisations are able to enjoy freedom of association without hindrance.

Signed:

HANCOCK Michael, United Kingdom, ALDE