

Press Release

Turkey Escalates Crackdown on LGBTI+ Rights: Activists and Journalists Detained as Draconian Laws Proposed

The Turkish government has intensified its repression of LGBTI+ human rights defenders, detaining activists and introducing a raft of repressive new laws that further restrict legal gender recognition, trans healthcare, and free expression.

The past two weeks have seen an increasingly severe crackdown on LGBTI+ human rights defenders and activists in Turkey. This comes at a time when the Turkish government is eroding civic rights and freedoms, including detaining journalists and opposition politicians, and targeting civil society organisations (CSOs) through smear campaigns and further restrictive legislation.

On 18 February, journalist and Editor-in-Chief of KaosGL.org, a news portal dedicated to LGBTI+ issues, Yıldız Tar, was arrested and accused of “membership in a terrorist organisation”. They were arrested alongside several journalists, activists (including Erkin, a trans activist), artists, and opposition MPs, amounting to 52 arrests that day.

On 27 February, leaked government proposals revealed plans to amend Turkey’s Criminal and Civil Codes, making it almost impossible to access legal gender recognition and trans healthcare. The amendments also introduce criminal penalties for those who support gender diversity or same-sex relationships, including anyone promoting views that challenge traditional gender norms or officiating same-sex ceremonies. The proposed measures mirror anti-LGBTI+ laws in Russia and Hungary, prompting urgent calls for action.

The further restrictions on accessing legal gender recognition include:

- Increasing the age of eligibility from 18 to 21.
- Reintroducing mandatory sterilisation (a provision previously annulled by the Constitutional Court and found to violate the European Convention on Human Rights by the European Court of Human Rights (ECtHR)).
- Introducing a lengthier approval process, requiring an official medical board report to be issued by a “full-fledged training and research hospital designated by the Ministry of Health as a result of four evaluations to be made at least three months apart” (previously, it was to be obtained from a training and research hospital). With no maximum duration set, this could potentially allow indefinite delays.

The proposed criminal sanctions include:

- **3-7 years’ imprisonment and a judicial fine of 1,000-10,000 days** for anyone who performs gender reassignment surgery contrary to the new provisions, with the recipient of the surgery facing **1-3 years’ imprisonment**.
- **1-3 years’ imprisonment** for “any person who publicly encourages, praises or promotes attitudes and behaviours contrary to innate biological sex and public morality”.

- **1.5-4 years' imprisonment** for “persons of the same sex [who] perform an engagement or marriage ceremony”.

A Clear Attack on Freedom

These new legislative restrictions will further limit the already inaccessible process of legal gender recognition and access to trans-specific healthcare in Turkey (see ILGA-Europe’s previous statement on this), making legal and medical transition nearly impossible.

The proposal for criminal sanctions against anyone who “publicly encourages, praises or promotes attitudes and behaviours contrary to innate biological sex and public morality” will impact individuals wishing to dress or be addressed in a way different from their sex assigned at birth. It will also target any debate, awareness-raising, or portrayal of topics challenging gender binarism, affecting LGBTI+ people, LGBTI+ CSOs, journalists, and other organisations or individuals advocating for freedom of expression.

Notably, this amendment places anyone expressing themselves in a manner deemed contrary to “innate biological sex” at risk. The vague wording of the law leaves it open to interpretation, creating the possibility for prosecution beyond the LGBTI+ community, impacting broader civil liberties.

The criminalisation of symbolic engagement and marriage ceremonies represents a blatant discriminatory attack on the LGBTI+ community, who simply wish to honour their partnerships and love in a country where there is no legal recognition of same-sex relationships.

These proposals mirror the anti-“LGBTI propaganda” laws already enacted in Russia, Hungary, and Bulgaria. The European Court of Human Rights has ruled that Russia’s law violates freedom of expression and the prohibition of discrimination, while the EU has launched infringement proceedings against both Hungary and Bulgaria for their laws.

Katrin Hugendubel, Advocacy Director of ILGA-Europe, stated: “This new wave of anti-LGBTI legislative amendments comes at a time when the Turkish government is institutionalising anti-LGBTI policies through action plans across different government departments. It is also a time in which the government is restricting democratic checks and balances, including targeting civil society organisations, journalists, and opposition politicians. The legislative proposals themselves run contrary to international human rights standards and jurisprudence, and now extend to restricting the freedom of expression of all people. They must be challenged.”

In a statement, ILGA-Europe has called on the Ministry of Justice to indefinitely withdraw the draft amendments and for the Turkish parliament to reject the proposed legislative changes, which introduce further discrimination against the LGBTI+ community, contravene international fundamental rights standards and decisions of Turkey’s Constitutional Court, and will further endanger the lives of LGBTI+ people in Turkey without providing any benefit to the wider public.

ILGA-Europe also calls on the Turkish government to immediately release Erkin and Yıldız Tar and to cease its crackdown on legitimate civil society organisations, journalists, and others forming part of democratic checks and balances.

The Turkish government must ensure equality under the law for all and introduce provisions granting equal rights in line with the jurisprudence of the European Court of Human Rights, including non-discriminatory and accessible legal gender recognition, trans-specific healthcare, legal recognition of partnerships, and the right to freedom of expression and information.