

**A STRUGGLE  
FOR  
EXISTENCE:  
PRIDE  
MARCHES AND  
THE RIGHT  
TO PEACEFUL  
ASSEMBLY IN  
TURKEY**

**UMUT ROJDA YILDIRIM**

HAKIKAT ADALET HAFIZA MERKEZİ  
TRUTH JUSTICE MEMORY CENTER



HAFIZA  
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POLICY PAPER



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## Introduction

The right to peaceful assembly and demonstration, a specific manifestation of freedom of expression, is indispensable for masses to share their demands and grievances with the entire public; to raise public awareness for the protection and preservation of rights, and ultimately for them to find a chance to express themselves and ensure the pluralism that is the greatest necessity of a democratic society. However, in Turkey, this right has been associated only with violations for many years. As reflected in the decisions of both the Constitutional Court and the European Court of Human Rights, the right to peaceful assembly and demonstration is under severe attack in Turkey<sup>1</sup>. The largest group that has been almost entirely unable to access the core of this right since 2015 is LGBTI+ individuals. Pride Marches have been held in Istanbul since 2003 and Pride Weeks since 1993. In addition to this, Pride Marches and Weeks are organized in many provinces across Turkey. However, since 2015, almost all public events of LGBTI+ individuals, especially the LGBTI+ Pride Marches, have been banned. Turkey is also ranked 47th among 49 European countries in terms of legal and political practices towards LGBTI+ individuals according to the ILGA-Europe Rainbow Index regarding LGBTI+ rights<sup>2</sup>, 104th among 197 countries according to the LGBT Equality Index, and unfortunately 1st in Europe according to Transgender Europe's Trans Murder Monitoring Map<sup>3</sup>.

A look at the history of the Pride March worldwide highlights an uprising in 1969. On June 28, 1969, in New York, LGBTI+ individuals, led by black sex worker trans women who could no longer endure oppression, violence, and discrimination, revolted at a bar called the Stonewall Inn. The riot that erupted after the police raid on the bar became a turning point for the LGBTI+ rights movement. This day is celebrated annually as the Pride March. What is meant here is taking pride in one's own being, the reflection of not being ashamed of one's own existence. Since 1969, various events related to LGBTI+ rights have been organized in June as part of Pride Month. The last week of June is celebrated as Pride Week. On the last day of the month, the Pride March is held with hundreds of thousands of participants<sup>4</sup>.

On special and important symbolic days concerning the LGBTI+ community in Turkey, such as the LGBTI+ Pride March, May 17th International Day Against Homophobia,

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<sup>1</sup> See *Oya Ataman v. Turkey* group of cases, <https://hudoc.exec.coe.int/eng?i=004-37415>.

<sup>2</sup> See <https://rainbowmap.ilga-europe.org/>.

<sup>3</sup> See <https://transrespect.org/en/map/trans-murder-monitoring/>.

<sup>4</sup> "Onur Yürüyüşü" [Pride March], *Feminist Bellek*, <https://feministbellek.org/onur-yuruyusu/>.

and November 20th Transgender Day of Remembrance, the squares and streets of Turkey are filled not with people and enthusiasm, but with the violence of public power. However, despite increasing pressure, the LGBTI+ movement in Turkey is not giving up on exercising their rights on the streets, or on advocating against bans and engaging in creative activism. This report will first provide a brief summary of the LGBTI+ movement in Turkey from the late 1980s to the present, and will then examine the use of the right to peaceful assembly and demonstration in light of the bans imposed on the LGBTI+ Pride Marches since 2015.

## A Summary History of the LGBTI+ Movement in Turkey<sup>5</sup>

### **Before the 2000s: The LGBTI+ Movement Emerges from the Unrecognized and Unknown**

Before 1980, LGBTI+ individuals were largely unrecognized in Turkey, finding a place only in art circles and celebrity news. Starting in the 1960s, LGBTI+ individuals gained visibility, particularly in theatre, music venues, and sex work in Istanbul's Beyoğlu district. Figures like Zeki Müren became symbols that challenged gender norms. However, with the political pressure increasing in the mid-1970s, Abanoz Street in Beyoğlu, where trans sex workers lived and worked, was closed down, and police violence escalated. These pressures led to the development of political awareness among LGBTI+ individuals; the first attempts at organization were seen in Ankara, Izmir, and Istanbul. Influenced by Stonewall, some activists sought visibility by establishing contact with left-wing movements.

The 1980 coup d'état halted these developments. Sex workers were exiled, and trans individuals were banned from performing on stage. As a result of Bülent Ersoy's legal struggle, the legal process for gender affirmation was secured in 1988. During this period, the media demonized LGBTI+ individuals by using the AIDS epidemic as an excuse. Arbitrary detentions, torture, and sexual assaults on the grounds of 'public morality' became systematic. However, these severe pressures led to a hunger strike in Gezi Park in 1987, spearheaded by trans women. This was the first public action by LGBTI+ individuals in Turkey<sup>6</sup>.

<sup>5</sup> Umut Rojda Yıldırım, *Worsening Repression in Turkey: Ongoing Crackdown on the LGBTI+ Community* (Freedom House, February 2024), <https://freedomhouse.org/sites/default/files/2024-02/7th-Policy%20Brief-Worsening%20Repression-in%20Turkey-The-Ongoing%20Crackdown-on-the-LGBTI-Community.pdf>.

<sup>6</sup> Siyah Pembe Üçgen İzmir, *80'lerde Lubunya Olmak [Being Queer in the 80s]* (2nd Edition, April 2013), available at [https://drive.google.com/file/d/1WiVd5j47lFTONz5Hog6WAJ/mdDPJPsoS/view?usp=share\\_link](https://drive.google.com/file/d/1WiVd5j47lFTONz5Hog6WAJ/mdDPJPsoS/view?usp=share_link).

The 1990s were the years when the LGBTI+ movement began to institutionalize. Organizations such as Kaos GL in Ankara and Lambdaistanbul in Istanbul were established. The trans movement's voice, *Gacı Dergisi* (Gacı Magazine), women's formations, and university groups (such as LEGATO)<sup>7</sup> increased visibility. The first Pride Week, planned to be held in 1993, was blocked by the police, and this intervention led to the establishment of Lambdaistanbul. State violence, particularly against trans individuals, continued. The police chief known as "Hortum Süleyman" (Süleyman the Hose) systematically tortured people on Ülker Street in Beyoğlu. Despite this, the movement continued to grow. In 1996, Kaos GL participated in the March 8th rally alongside *Venüs'ün Kızkardeşleri* (Sisters of Venus)<sup>8</sup>. In 1999, Demet Demir became the first trans woman to run as a candidate in local elections in Turkey<sup>9</sup>.

### **The 2000s: The First Pride March and the Institutionalization of the Movement**

The 2000s marked an important turning point in the institutionalization process of the LGBTI+ movement in Turkey. With Kaos GL's participation in the May 1st demonstrations in Ankara in 2001, carrying their own banner and group identity for the first time, LGBTI+ individuals in Turkey formally asserted their organized presence in the public sphere. Subsequently, Lambdaistanbul also joined the May 1st demonstrations in Istanbul with their own contingents in 2002 and 2003. Then, in 2003, the first Pride March, held on İstiklal Avenue in Istanbul with the participation of approximately 30 activists, became a milestone in the history of the movement.

With Turkey's acceptance as a candidate country for the European Union in 1999, expectations for reforms concerning the rule of law, human rights, and the strengthening of civil society increased. This process also yielded some positive outcomes for the LGBTI+ movement. The amendment of the Associations Law in 2004 created an important opportunity for the LGBTI+ movement, which had been unable to formally organize for many years. Kaos GL, which had been active in Ankara since the 1990s, gained association status in 2005. The LGBTI+ movement, also gaining strength from the women's movement, successfully put on the agenda the demand for the inclusion of sexual orientation in the anti-discrimination article of the new Turkish Penal Code, which began to be drafted in

<sup>7</sup> "Boğaziçi'nde bin eşcinsel var" [There are a thousand homosexuals in Boğaziçi], *Milliyet*, January 22, 2001, <https://www.milliyet.com.tr/pembekar/bogazici-nde-bin-escinsel-var-5292782>.

<sup>8</sup> *Venüs'ün Kızkardeşleri* was formed by lesbians living in Istanbul in 1995 and maintained its existence until the early 2000s. The group announced its disbandment through *KaosGL Dergi* [KaosGL Magazine] in 2002, stating in the note that the group members, whose number was cited as 10-15, were no longer acting together or sharing the same goals, and that under these circumstances, a decision was made to support Kaos GL rather than establish another group.

<sup>9</sup> Siyah Pembe Üçgen İzmir, *90'larda Lubunya Olmak* [Being Queer in the 90s] (February 2013). For online access, see [https://drive.google.com/file/d/1MeR3ILOdr2FXdbelieY-bHdT-YmxwRKB/view?usp=share\\_link](https://drive.google.com/file/d/1MeR3ILOdr2FXdbelieY-bHdT-YmxwRKB/view?usp=share_link).

the early 2000s and entered into force on June 1, 2005. Although women's and LGBTI+ organizations submitted their demands to the Turkish Grand National Assembly Justice Subcommittee in 2004, the concepts of sexual orientation and gender identity were not included in the law.

The growing LGBTI+ movement continued to face obstacles in the organization phase. Despite legal reforms, a lawsuit for closure was filed against Lambdaistanbul by the Istanbul Governorship immediately after its establishment in 2006, on the grounds of "being contrary to the family structure" and "opposition to public morality." However, the Court of Cassation overturned the first-instance court's decision to close the association, thereby recognizing the right of official organization for LGBTI+ individuals<sup>10</sup>. A similar situation occurred for the Siyah Pembe Üçgen (Black Pink Triangle) Association, established in Izmir in 2009. The lawsuit for the closure of this association was also rejected by the Court of Cassation<sup>11</sup>.

The collection of the 28th issue of KaosGL Magazine, titled "Pornography," and the lawsuit filed against the magazine's employees by the Ankara Chief Public Prosecutor's Office in 2006 on the grounds of being "prejudicial for the protection of public morality," was another example of a violation of freedom of expression. Following the association's application in 2016, the European Court of Human Rights (ECtHR) ruled that the right to freedom of expression, stipulated in Article 10 of the European Convention on Human Rights (ECHR), had been violated. All confiscated copies of the magazine were only returned to Kaos GL in 2025<sup>12</sup>.

The struggle against violence amounting to violations of the right to life and against impunity directed at LGBTI+ individuals was also on the agenda during these years. The organized gang attacks against trans women living and working in the Eryaman and Esat neighborhoods of Ankara in 2006 led trans women to unite and establish Pembe Hayat (Pink Life), Turkey's first trans organization. The criminal case regarding the attacks was concluded only after 15 years. In the hearing held in September 2025, a total of 82 years in prison was ruled for four defendants. However, the risk of the statute of limitations running out continues as the appeal and final review stages of the criminal case have

<sup>10</sup> See Lambdaistanbul LGBTI+ Solidarity Association, <https://lambdaistanbul.org/hakkimizda/>.

<sup>11</sup> "Siyah Pembe Üçgen İzmir Kapatılmadı" [Black Pink Triangle İzmir Was Not Closed], *Bianet*, April 30, 2010, <https://bianet.org/haber/siyah-pembe-ucgen-izmir-kapatilmadi-121667>.

<sup>12</sup> "Kaos GL Dergisi'nin 'Pornografi' sayısı evine döndü!" [Kaos GL Magazine's "Pornography" issue has returned home!], *Kaos GL*, March 14, 2025, <https://web.archive.org/web/20250314120441/https://kaosgl.org/haber/kaos-gl-dergisi-nin-pornografi-sayisi-evine-dondu>. As access to the KaosGL.org website is blocked by a decision of the Magistrate Judge, the relevant links included in this report are provided via the Web Archive site.

not been completed and the judgment has not become final<sup>13</sup>. Unfortunately, one of the most important figures in the struggle against violence and impunity was Ahmet Yıldız. Ahmet was murdered by his family in the middle of the street in 2008 because he was gay. Although Ahmet had filed a criminal complaint with the prosecutor's office before he was killed, no protection order had been issued. The case regarding the murder, which drew serious reactions from LGBTI+ organizations and the public, is still ongoing in 2025, and demands for finding the killers are persistently rejected<sup>14</sup>.

### **The 2010s: Mass Struggle, the Gezi Resistance, and the First Bans**

The first half of the 2010s was a period in Turkey where the visibility, political influence, and social legitimacy of the LGBTI+ movement increased, while discrimination and targeting on the political level also steadily rose. In 2010, the statement by Selma Aliye Kavaf, the Minister for Women and Family, who described homosexuality as “a disease” in an interview, was recorded as one of the first explicit instances of state-level targeting of LGBTI+ individuals<sup>15</sup>.

LGBTI+ organizations intervened in the constitutional amendment process initiated in 2012, holding meetings with the Turkish Grand National Assembly Constitutional Consensus Commission and opposition parties to put on the agenda their demands for the inclusion of “sexual orientation and gender identity” in Article 10 of the Constitution to support the fight against discrimination and hate crimes<sup>16</sup>. In the same year, similar to the Eryaman-Esat and Ülker Street examples, the homes of trans women in the Meis housing complex in Avcılar were sealed, lynching attempts occurred, and multiple trans women were murdered in successive hate crimes<sup>17</sup>.

The Gezi Resistance in 2013 became a turning point not only for the LGBTI+ movement but also for all components of social opposition in Turkey. During the resistance, LGBTI+

<sup>13</sup> “Esat-Eryaman Davasında Karar: 82’şer Yıl Ceza Verildi, Tutuklama Yok” [Decision in the Esat-Eryaman Case: 82 Years of Imprisonment Given, No Arrest], *Pembe Hayat*, May 22, 2025, <https://www.pembehayat.org/haberler/esat-eryaman-davasinda-karar-82-ser-yil-ceza-verildi-tutuklama-yok-3546>.

<sup>14</sup> “Ahmet Yıldız’a Adalet!’ Kampanyası” [‘Justice for Ahmet Yıldız!’ Campaign], *Hêvî LGBTI+*, <https://hevilgbti.org/ahmet-yildiza-adalet/>.

<sup>15</sup> “Eşcinsellik hastalık, tedavi edilmeli” [Homosexuality is a disease, it should be treated], *Hürriyet*, March 7, 2010, <https://www.hurriyet.com.tr/kelebek/escinsellik-hastalik-tedavi-edilmeli-14031207>.

<sup>16</sup> SPoD, *Eşit Yurttaşlık Mücadelesinde LGBTİ+’ların Anayasal Talepleri* [Constitutional Demands of LGBTI+s in the Struggle for Equal Citizenship] (November 2021), <https://spod.org.tr/wp-content/uploads/2022/03/Esit-Yurttaslik-Mucadelesinde-LGBTI+ların-Anayasal-Talepleri.pdf>.

<sup>17</sup> “Avcılar’ın Son Beş Aylık Transfobi Tarihi” [The Last Five Months of Avcılar’s Transphobia History], *Kaos GL*, March 12, 2013, <https://web.archive.org/web/20250516111023/https://kaosgl.org/haber/avcilarrrsquin-son-bes-aylik-transfobi-tarihi>.

individuals, organized under the name “LGBT Bloc,” both gained visibility and stood out in their forms of action<sup>18</sup>. Following the Gezi Resistance, the LGBTI+ movement established closer relationships with feminist, ecological, Kurdish, and anti-militarist movements. In the 2014 local elections, many openly LGBTI+ candidates participated in the elections on the lists of the Republican People’s Party (CHP) and the Peoples’ Democratic Party (HDP), and LGBTI+ organizations supported these campaigns. The opening of polyclinics by some municipalities, which offered special health services for LGBTI+ individuals and sex workers, was also among the achievements of this period. Since 2013, driven by both the social motivation and increased political awareness of the post-Gezi period, numerous LGBTI+ organizations were founded. During this period, despite increasing pressure, the LGBTI+ movement evolved into a structure capable of organizing itself more strongly both locally and nationally, formulating its political demands more clearly, and deepening its relationships with national/international solidarity networks. Despite the AKP’s increasingly oppressive policies, the movement solidified its political and social legitimacy by forming alliances with feminists, human rights defenders, trade unions, and opposition parties at different times.

The period between the June 7, 2025 election -the first time that the AKP formally lost power after Gezi- and the November 1, 2015 snap elections held after a government could not be formed, was marked by a “bloody process”, where social peace was severely damaged, particularly with the October 10 Ankara and July 20 Suruç attacks, and where the AKP regained power through a coalition with the MHP. This became a turning point for LGBTI+ rights, as well as for democratic society as a whole. The last-minute ban of the 2015 Istanbul LGBTI+ Pride March, the detention of participants, the police violence against journalists, and even the deportation of Members of the European Parliament, initiated a series of public event bans that delivered a major blow to the LGBTI+ movement. The prohibitions that began in 2015 have continued to increase over the past decade. The LGBTI+ movement, with this practice of bans that started during its most visible and powerful period, became one of the most significant groups in Turkey whose right to peaceful assembly and demonstration was collectively attacked.

Starting in 2015, the attacks on LGBTI+ individuals’ right to peaceful assembly and demonstration, combined with policies of impunity, led to a rise in attacks and violence targeting LGBTI+ individuals’ right to life. The street was one of the most important arenas where the public had contact with LGBTI+ individuals, and the prevention of street visibility also paved the way for the ‘dehumanization’ of LGBTI+ people. In 2016, Hande

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<sup>18</sup> “LGBT Blok: Kurtuluş Yok Tek Başına! Ya Hep Beraber Ya Hiç Birimiz!” [LGBT Bloc: No Salvation Alone! Either All Together or None of Us!], *Kaos GL*, June 9, 2013, <https://web.archive.org/web/20250424104633/https://kaosgl.org/haber/lgbt-blok-kurtulus-yok-tek-basina-ya-hep-beraber-ya-hic-birimiz>.

Kader, a trans woman sex worker, was burned to death in Zekeriyaköy, Istanbul. Following the murder, which drew an immense reaction in the media, LGBTI+ organizations held a press statement in the Parliament, bringing up the lack of legislation on hate crimes<sup>19</sup>. A press statement attended by a large crowd was also held in Tünel Square, Istanbul, with the participation of CHP and HDP deputies<sup>20</sup>. Apart from one person being arrested two years later as part of the ongoing investigation and a confidentiality order being placed on the investigation, there has been no further development in the trial, even after nine years<sup>21</sup>. In the same year, Wisam Sankari, a gay, HIV-positive Syrian refugee, was also killed in a hate crime in Istanbul. The murderer received a reduced sentence based on “good conduct and unjust provocation.”<sup>22</sup> In 2019, Hande Buse Şeker was killed in Izmir by a police officer who came to her home as a client. Although the killer was sentenced to prison, the request for an aggravated life sentence for the murder was rejected in 2025<sup>23</sup>.

### **The 2020s: Rising Anti-LGBTI+ Sentiment and New Ways of Struggle**

The first half of the 2020s was shaped by an exponentially increasing and systematic government policy of anti-LGBTI+ sentiment against the LGBTI+ movement. During the COVID-19 pandemic, the President of Religious Affairs issued a *fatwa* (religious edict) that pointed to LGBTI+ people as one of the ‘reasons for the epidemic.’ Investigations were launched against bar associations that issued press statements criticizing the targeting of LGBTI+ individuals following the *fatwa*<sup>24</sup>. These investigations even paved the way for the discussions surrounding the law that later passed in the Parliament as the “Multi-Bar” regulation.

<sup>19</sup> “LGBT örgütleri Hande Kader için Meclis’te toplandı” [LGBTI organizations gathered in Parliament for Hande Kader], *Kaos GL*, August 18, 2016, <https://web.archive.org/web/20250324165744/https://kaosgl.org/haber/lgbti-orgutleri-hande-kader-icin-meclisrquote-toplandi>.

<sup>20</sup> “Hande Kader cinayeti: Trans cinayetleri protesto edildi” [Hande Kader murder: Trans murders protested], *BBC News Turkish*, August 22, 2016, <https://www.bbc.com/turkce/haberler-turkiye-37151265>.

<sup>21</sup> “Hande Kader davasında bir şüpheli tutuklandı” [One suspect arrested in Hande Kader case], *Kaos GL*, December 3, 2018, <https://web.archive.org/web/20250424201346/https://kaosgl.org/haber/hande-kader-davasinda-bir-supheli-tutuklandi>.

<sup>22</sup> “Wisam Sankari’nin katiline ‘haksız tahrik’ indirimi!” [Reduction for ‘unjust provocation’ for Wisam Sankari’s murderer!], *Kaos GL*, October 5, 2017, <https://web.archive.org/web/20250613171556/https://kaosgl.org/haber/wisam-sankarisquonin-katiline-haksiz-tahriksquo-indirimi>.

<sup>23</sup> “Hande Buse Şeker davasında istinaf, ağırlaştırılmış müebbet talebini reddetti” [Court of Appeals rejected the request for aggravated life imprisonment in Hande Buse Şeker case], *Kaos GL*, November 6, 2014, <https://web.archive.org/web/20250803182724/https://kaosgl.org/haber/hande-buse-seker-davasinda-istinaf-agirlastirilmis-muebbet-talebini-reddetti>.

<sup>24</sup> Onur Sezen and Umut Rojda Yıldırım, “‘Avukatımı İstiyorum!’: Türkiye’de Baroların LGBTİ+ Aktivizmi ve Barolara Açılan Soruşturmalar” [‘I Want My Lawyer!’: LGBTI+ Activism of Bar Associations in Turkey and Investigations Launched Against Bar Associations], *A (Insider) Look at the LGBTI+ Law Agenda 2019-2020* (SPoD, December 2020), <https://spod.org.tr/wp-content/uploads/2022/08/LGBTI%CC%87larin-Hukuk-Gu%CC%88ndemine-I%CC%87c%CC%A7eriden-Bir-Bakis%CC%A7-2019-2020.pdf>.

In 2021, during the protests that began against the appointed trustee rector at Boğaziçi University, the Boğaziçi LGBTIA+ Studies Club and the Women's Studies Club were shut down by the trustee rector, and LGBTI+ students were targeted in government-backed newspapers<sup>25</sup>. In the same period, as one of the most significant steps of anti-LGBTI+ politics, the Istanbul Convention, of which Turkey was a founding signatory in 2011, was unilaterally terminated by the President on the grounds that it “normalized homosexuality,” and this was officially stated in the notification<sup>26</sup>. This justification highlighted the state of the government's LGBTI+ policies after 20 years in power<sup>27</sup>. In the process leading up to Turkey's withdrawal from the Istanbul Convention, LGBTI+ individuals were virtually demonized by high-level public figures<sup>28</sup>.

In 2022, closure cases were filed against the *Tarlabaşı Toplum Merkezi* (Tarlabaşı Community Center), which was harassed for an event announcement it made on social media for its volunteers regarding how to support LGBTI+ children, and against *Kadın Cinayetlerini Durduracağız Platformu* (We Will Stop Femicide Platform), which fights violence against women and faced smear campaigns with the accusation of “dismantling the family structure.”<sup>29</sup> In September of the same year, the first ever anti-LGBTI+ and anti-gender rally was organized in Istanbul's Saraçhane Square under the name “Great Family Platform.”<sup>30</sup> The fact that such rallies, similar to those organized abroad, especially by anti-LGBTI+ and anti-gender movements centered around the Catholic Church, began to be organized in Turkey with government support, became an extremely worrying

<sup>25</sup> “Boğaziçi'nin öğrenci kulüpleri BÜKAK ve BÜLGBTİ+: 'Bu baskın ve soruşturma iddiası LGBTİ+'lara bir saldırıdır” [Boğaziçi student clubs BÜKAK and BÜLGBTİ+: 'This raid and claim of investigation is an attack on LGBTI+ people'], *Sendika.org*, February 2, 2021, <https://sendika.org/2021/02/bogazicinin-ogrenci-kulupleri-bukak-ve-bulgbti-bu-baskin-ve-sorusturma-iddiasi-lgbtilara-bir-saldiridir-607261/>.

<sup>26</sup> Republic of Turkey Directorate of Communications, “Statement Regarding Turkey's Withdrawal from the Istanbul Convention,” March 21, 2021, <https://www.iletisim.gov.tr/turkce/haberler/detay/turkiyenin-istanbul-sozlesmesinden-cekilmesine-iliskin-aciklama>.

<sup>27</sup> Berfu Şeker and Ezel Buse Sönmezocak, *Withdrawing from the Istanbul Convention: The War on Gender Equality in Turkey* (Freedom House, June 2021), [https://freedomhouse.org/sites/default/files/2021-08/Turkey\\_Policy\\_Brief\\_No2\\_Withdrawal\\_from\\_Istanbul\\_Convention.pdf](https://freedomhouse.org/sites/default/files/2021-08/Turkey_Policy_Brief_No2_Withdrawal_from_Istanbul_Convention.pdf).

<sup>28</sup> Sibel Yükler, *Istanbul Sözleşmesi'nden çıkılan süreçte LGBTİ+'lar nasıl kriminalize edildi? [How were LGBTI+ individuals criminalized during the process of withdrawing from the Istanbul Convention?]* (Heinrich Böll Stiftung, June 24, 2022), <https://tr.boell.org/tr/2022/06/24/istanbul-sozlesmesinden-cikilan-surecte-lgbtilar-nasil-kriminalize-edildi>.

<sup>29</sup> Güley Bor, “Belirsiz ve Tekinsiz”: Türkiye'de Derneklere Açılan Kapatma Davaları” [‘Uncertain and Uncanny’: Lawsuits for the Closure of Associations in Turkey] (Human Rights Foundation of Turkey, Human Rights Association, International Federation for Human Rights, and World Organisation Against Torture), [https://www.ihd.org.tr/wp-content/uploads/2023/09/Belirsiz-ve-Tekinsiz\\_DerneklereKarsi-KapatmaDavalari.pdf](https://www.ihd.org.tr/wp-content/uploads/2023/09/Belirsiz-ve-Tekinsiz_DerneklereKarsi-KapatmaDavalari.pdf).

<sup>30</sup> “LGBTİ+ karşıtı ‘Büyük Aile Buluşması’ Saraçhane’de yapıldı” [Anti-LGBTI+ ‘Great Family Gathering’ held in Saraçhane], *Medyascope*, September 18, 2022, <https://medyascope.tv/2022/09/18/lgbti-karsiti-buyuk-aile-bulusmasi-sarachane-de-yapildi/>.

development for LGBTI+ rights and gender equality. The call-to-action video for the rally was even recommended by the Radio and Television Supreme Council (RTÜK) as a public service announcement for television broadcast<sup>31</sup>. By the end of the year, the AKP-MHP-BBP alliance aimed to constitutionally ban a potential same-sex marriage arrangement by changing Article 41 of the Constitution under the guise of “protecting the family.” However, the proposal was withdrawn before it could reach the General Assembly agenda following the February 2023 Hatay-Maraş earthquakes<sup>32</sup>.

This period, in which the government integrated anti-LGBTI+ sentiment into its everyday political strategy, thus seeking to permanently attack the rights of LGBTI+ individuals, especially the right to peaceful assembly and demonstration, was followed by the May 14, 2023 General Elections. Throughout the election period, President Erdoğan, who addressed LGBTI+ individuals in every one of his speeches, explicitly campaigned on anti-LGBTI+ rhetoric. Despite this, thanks to the efforts of LGBTI+ organizations during the election, 11 LGBTI+-friendly deputies from the CHP, the Peoples' Equality and Democracy Party (DEM), and the Workers' Party of Turkey (TİP) entered the Parliament<sup>33</sup>.

In 2024, as a result of this anti-LGBTI+ politics, numerous official policy documents were prepared, especially under the title of “Protection of the Family,” targeting the LGBTI+ movement itself and its demands for rights. In this context, the Family Strengthening Vision Document and Action Plan, covering the years 2024-2028, was introduced by Family Minister Mahinur Özdemir Göktaş at a press conference held at the Presidential Complex (Küllüye) on May 15, 2024<sup>34</sup>. The government sought to establish itself in this rising anti-LGBTI+ political discourse not only domestically but also internationally. For example, it submitted an application to join the United Nations (UN) Group of Friends of the Family, and the colors of the UN Sustainable Development Goals were associated with “LGBTI+

<sup>31</sup> “LGBTİ+ karşıtı ‘Büyük Aile Buluşması’: RTÜK’ün kamu spotu, yayıncılık ilkelerine aykırı” [Anti-LGBTİ+ ‘Great Family Gathering’: RTÜK’s public service announcement is against broadcasting principles], *Journo*, September 18, 2022, <https://journo.com.tr/lgbti-rtuk-kamu-spotu>.

<sup>32</sup> “LGBTİ+ karşıtı anayasa değişikliği teklifi ‘Erdoğan’ın talimatı ile geri çekiliyor” [Anti-LGBTİ+ constitutional amendment proposal ‘withdrawn on Erdoğan’s instruction’], *ÜniKuir*, February 28, 2023, <https://www.unikuir.org/haberler/lgbti-karsiti-anayasa-degisikligi-teklifi-erdogan-in-talimatı-ile-geri-cekiliyor-28-02-2023>.

<sup>33</sup> “Seçim 2023 | LGBTİ+ Hakları Sözleşmesi’ni imzalayan 11 milletvekili mecliste yer aldı” [Election 2023 | 11 deputies who signed the LGBTİ+ Rights Agreement took their place in the parliament], *SPoD*, June 9, 2023, <https://spod.org.tr/secim-2023-lgbti-haklari-sozlesmesini-imzalayan-11-milletvekili-mecliste-yer-aldi/>.

<sup>34</sup> Berfu Şeker, *Aileyi Güçlendirme Vizyon Belgesi ve Eylem Planı’nın LGBTİ+ Hakları ve Toplumsal Cinsiyet Eşitliği Açısından Değerlendirilmesi* [Assessment of the Family Strengthening Vision Document and Action Plan in terms of LGBTİ+ Rights and Gender Equality] (Rainbow Against Discrimination Association, January 2025), <https://www.coalitionrainbow.org/public/library/document/aileyi-guclendirme-vizyon-belgesi-ve-eylem-planı-nin-lgbti-haklari-ve-toplumsal-cinsiyet-esitligi-acisindan-degerlendirilmesi-678a42847657a.pdf>.

rainbow colors” [as a source of irritation]<sup>35</sup>. An anti-LGBTI+ draft law, alleged to have been prepared by the Ministry of Justice, was leaked to the public, which would complicate gender transition processes for trans individuals and introduce crime definitions based on biological sex<sup>36</sup>. While this draft bill, which was protested by LGBTI+ organizations with the #WeAreAllTargets campaign<sup>37</sup>, was still on the agenda, HÜDA-PAR submitted a new anti-LGBTI+ bill to the Parliament<sup>38</sup>.

In late February 2025, Yıldız Tar, the editor-in-chief of Kaos GL and an LGBTI+ rights activist and journalist, and Erkin, a trans activist, were arrested along with 30 other individuals as part of an investigation targeting the Peoples’ Democratic Congress (HDK). The grounds for their arrest were their participation in legal events and marches, and the news reports they produced between 2012 and 2013. More broadly, the heavy-handed police crackdown on peaceful protests, starting with the process to revoke Istanbul Metropolitan Mayor Ekrem İmamoğlu’s diploma and have him arrested, the detention of students, and the appointment of trustees to municipalities also led to serious violations of the right to peaceful assembly and demonstration. Also in this context, Enes Hocaoğulları, a Council of Europe Youth Delegate and LGBTI+ activist, had raised allegations of naked searches in detention and torture during the Council of Europe Congress of Local and Regional Authorities meeting in March 2025. Following his speech, a lynching campaign was launched against him on social media, after which he was detained at Esenboğa Airport on August 5 and arrested on the charge of “publicly disseminating misleading information to the public,” as defined in Article 217/A of the Turkish Penal Code, popularly known as the “disinformation law.”<sup>39</sup> Hocaoğulları was released at the first hearing on September 8<sup>40</sup>.

<sup>35</sup> “BM Genel Kurulu’nda kullanılan renkler Cumhurbaşkanı Erdoğan’ı kızdırdı” [Colors used at the UN General Assembly angered President Erdoğan], *EuroNews*, September 22, 2023, <https://tr.euronews.com/2023/09/22/bm-genel-kurulunda-kullanilan-renkler-cumhurbaskani-erdogani-kizdirdi>.

<sup>36</sup> “LGBTİ+’lar, Medeni Kanun ve Ceza Kanunu’nda yapılması öngörülen değişikliklerle hedefte” [LGBTI+ individuals are targeted with foreseen amendments to the Civil Code and Penal Code], *Kaos GL*, February 27, 2025, <https://web.archive.org/web/20250621202538/https://kaosgl.org/haber/lgbti-lar-medeni-kanun-ve-ceza-kanununda-yapilmasi-ongorulen-degisikliklerle-hedefte>.

<sup>37</sup> “LGBTİ+ derneklerinden, LGBTİ+ karşıtı kanun teklif taslağına ilişkin ortak açıklama: Hepimiz Hedefteyiz!” [Joint statement from LGBTI+ associations on the anti-LGBTI+ draft law proposal: We Are All Targets!], *Kaos GL*, March 6, 2025, <https://web.archive.org/web/20250613161501/https://kaosgl.org/haber/lgbti-derneklerinden-lgbti-karsiti-kanun-teklif-taslagina-iliskin-ortak-aciklama-hepimiz-hedefteyiz>.

<sup>38</sup> “HÜDA-PAR, LGBTİ+ karşıtı kanun teklifini Meclis’e sundu” [HÜDA-PAR submitted an anti-LGBTI+ bill to the Parliament], *Kaos GL*, April 18, 2025, <https://web.archive.org/web/20250910193316/https://kaosgl.org/haber/huda-par-lgbti-karsiti-kanun-teklifini-meclis-e-sundu>.

<sup>39</sup> “Avrupa Konseyi Gençlik Delegeesi Enes Hocaoğulları Tutuklandı!” [Council of Europe Youth Delegate Enes Hocaoğulları Arrested!], *ÜniKuir*, August 5, 2025, <https://www.unikuir.org/haberler/avrupa-konseyi-genclik-delegesi-enes-hocaoğullari-tutuklandi-05-08-2025>.

<sup>40</sup> “Enes Hocaoğulları hakkında tahliye kararı verildi” [Decision to release Enes Hocaoğulları given], *ÜniKuir*, September 8, 2025, <https://www.unikuir.org/haberler/enes-hocaoğullari-tahliye-08-09-2025>.

Approaching Pride Month in 2025, in addition to the ban on LGBTI+ events, the Ministry of Family sent an official letter to its units prohibiting the use of terms such as “LGBTI, gender, sexual orientation, gender identity” in international meetings<sup>41</sup>. On June 27, the Ministry of Health first banned the prescription of hormones, which are vital for trans people, to those under 21, despite it being contrary to the Turkish Civil Code<sup>42</sup>. Following this, the Council of Higher Education (YÖK) formally requested, without stating a reason, the number of people whose “request for gender reassignment was rejected, accepted, and who underwent surgery in the last 10 years” from hospitals that conduct gender transition processes<sup>43</sup>. In the same week, the website and social media accounts of KaosGL.org, Turkey’s first and longest-running LGBTI+-focused news site that has been publishing for over 30 years and is the most cited news source in this very report, were blocked by a decision from the Istanbul Magistrate’s Criminal Court<sup>44</sup>. Alongside all these developments, and as will be explained in detail below, the application for the 23rd Istanbul Pride March to be held in the Yenikapı Rally Area was not approved by the Istanbul Governorship<sup>45</sup>. In summary, in the last week of June 2025 alone, the bodies, voices, mobility, and memory of LGBTI+ individuals were simultaneously targeted, without even needing to pass new laws. These alarming human rights violations -all experienced as the first half of 2025 comes to an end- paint a picture of further deterioration in the situation for both LGBTI+ rights and the specific use of the right to peaceful assembly and demonstration.

<sup>41</sup> “Aile Bakanlığı’ndan toplumsal cinsiyet kavramlarına yasaklama girişimi” [Attempt by the Ministry of Family to ban gender concepts], *Bianet*, May 7, 2025, <https://bianet.org/haber/aile-bakanligindan-toplumsal-cinsiyet-kavramlarina-yasaklama-girisimi-307201>.

<sup>42</sup> “Sağlık Bakanlığı’ndan Translara Yönelik Hormon Kısıtlaması: 21 Yaş Altına Yasak” [Hormone Restriction for Trans People from the Ministry of Health: Ban for Under 21s], *Pembe Hayat*, June 27, 2025, <https://www.pembehayat.org/haberler/saglik-bakanligi-ndan-translara-yonelik-hormon-kisitlamasi-21-yas-altina-yasak-3602>.

<sup>43</sup> “YÖK, cinsiyet değiştirmek isteyenlerin sayısını istedi” [YÖK requested the number of people seeking gender reassignment], *Evrensel*, June 29, 2025, <https://www.evrensel.net/haber/559365/yok-cinsiyet-degistirmek-isteyenlerin-sayisini-istedi>.

<sup>44</sup> “Kaosgl’nin Web Sitesi ve Sosyal Medya Hesapları Erişime Engellendi” [Kaosgl’s Website and Social Media Accounts Blocked], *İFÖD*, June 27, 2025, <https://ifade.org.tr/engelliweb/kaosglnin-web-sitesi-ve-sosyal-medya-hesaplari-erisime-engellendi/>.

<sup>45</sup> “‘Uygun’ Görülmedik!” [We Were Not ‘Approved!’], *SPoD*, June 28, 2025, <https://spod.org.tr/uygun-gorulmedik-2025-istanbul-onur-yuruyusu/>.

## An Examination of LGBTI+ Pride Marches in Turkey from the Perspective of the Right to Freedom of Assembly and Association

A symbolic representation of the LGBTI+ movement's visibility and institutionalization in Turkey, Pride Marches have become more than just a form of expression, especially with the escalating pressures after 2015. Rather they have become a litmus test for the state's stance on the freedom of peaceful assembly and demonstration. This section aims to evaluate the administrative judicial processes concerning LGBTI+ Pride Marches in Turkey from the perspective of the right to peaceful assembly and demonstration.

### 2003 - 2014: Where Are You, My Love? I Am Here, My Love!

In 2003, LGBTI+ activists organized within Lambdaistanbul initiated the history of LGBTI+ Pride Marches in Turkey by finally stepping onto Istiklal Avenue and marching 200-250 meters, exactly 10 years after their first attempt at a Pride March. The fact that the marches, which had been postponed by the Istanbul Governorship in 1993 and 1995 on grounds such as “protection of public morality and public order”, could finally be held in 2003 was made possible by the continuous efforts of the LGBTI+ movement, which had continued organizing for 10 years. From this date onward, which can be viewed as the LGBTI+ community's *coming out* into the public sphere, Istiklal Avenue in Istanbul became one of the biggest spaces for resistance and memory for LGBTI+ individuals, just as it was for the entire social opposition. With the World Health Organization removing homosexuality from the category of diseases on May 17, 2004, May 17 International Day Against Homophobia began to be celebrated in Ankara starting in 2006, spearheaded by KaosGL. In 2008, during the third May 17 Gatherings, LGBTI+ activists marched to the Parliament<sup>46</sup>.

The historical significance of Beyoğlu and its surrounding area for the LGBTI+ movement is as valid and legitimate as the working class's persistence in celebrating May Day in Taksim Square in memory of “Bloody May Day.” In its rulings on the cases of *the Confederation of Progressive Trade Unions of Turkey (DİSK) and Others*<sup>47</sup>, the Constitutional Court determined that Taksim Square could not be categorically closed to

<sup>46</sup> “Meclise yürüdük” [We marched to the Parliament], *Kaos GL*, May 17, 2008, <https://web.archive.org/web/20250420093742/https://kaosgl.org/haber/meclirsquoeyuruduk>.

<sup>47</sup> *Türkiye Devrimci İşçi Sendikaları Konfederasyonu (DİSK) ve diğerleri* [General Assembly], Application No: 2016/14517, 12/10/2023; *Türkiye Devrimci İşçi Sendikaları Konfederasyonu ve diğerleri (2)* [General Assembly], B. No: 2016/14518, 12/10/2023.

May Day celebrations and that the related bans violated the right to organize meetings and demonstration marches guaranteed by Article 34 of the Constitution. These rulings can particularly be applied to LGBTI+ Pride Marches and Istiklal Avenue due to their similar context<sup>48</sup>.

During this period, LGBTI+ Pride Marches were held with the participation of a limited circle of activists until the closure lawsuit was filed against Lambdaistanbul in 2007. Throughout the appeals process that overturned the local court's decision in the Court of Cassation (*Yargıtay*), a national and international campaign was conducted. As a result, the public interest generated regarding LGBTI+ rights began to follow the LGBTI+ Pride Marches<sup>49</sup>. For instance, an oral hearing was specifically requested during the appeal to the Court of Cassation against the local court's decision to close the association, which allowed LGBTI+ activists to raise awareness both in the courtroom and outside the courthouse<sup>50</sup>. The 7th Civil Chamber of the Court of Cassation, with its decision dated November 25, 2008 (File No. 2008/4109, Decision No. 2008/5196), overturned the local court's decision<sup>51</sup>.

Thanks to the campaign conducted within the scope of the closure lawsuit filed against Lambdaistanbul, the 2007 Istanbul LGBTI+ Pride March reached approximately 1000 people. According to the participants, a 25-meter rainbow flag was waved along Istiklal Avenue<sup>52</sup>. Lambdaistanbul volunteers of the time recounted that day in an interview as follows:

*“The 2007 Pride Week is a very important milestone for us. While we could only gather about 200-250 people for a march like Pride Week, to which we invited everyone, that march suddenly became massive in 2007. It started with 500 people in Taksim Square, and by the time it reached Galatasaray Square, the crowd exceeded 1,000; people mention figures of*

<sup>48</sup> For the press release regarding the Constitutional Court's rulings on *Türkiye Devrimci İşçi Sendikaları Konfederasyonu (DİSK) ve diğerleri* (B. No: 2016/14517, B. No: 2016/14518), see: <https://www.anayasa.gov.tr/tr/haberler/bireysel-basvuru-basin-duyurulari/1-mayis-kutlamalarına-yapılan-mudahalelerin-İlgili-ve-yeterli-gerekcesi-olmaması-nedeniyle-toplantı-ve-gösteri-yürüyüşü-duzenleme-hakkında-İhale-İhlal-Edilmesi/>.

<sup>49</sup> Human Rights Watch (HRW), “Turkish government letter on harassment of Lambda Istanbul,” <https://www.hrw.org/legacy/turkish/docs/2008/04/16/turkey18560.htm>.

<sup>50</sup> “Lambdaistanbul Yargıtay kararını bekliyor” [Lambdaistanbul is waiting for the Court of Cassation's decision], *Kaos GL*, November 26, 2008, <https://web.archive.org/web/20250424122314/https://kaosgl.org/haber/lambdaiistanbul-yargitay-kararini-bekliyor>.

<sup>51</sup> “Lambdaistanbul'a Karşı Kapatma Davası Kronolojisi” [Chronology of the Lawsuit for the Closure of Lambdaistanbul], *Bianet*, April 29, 2009, <https://bianet.org/yazi/lambdaiistanbul-a-karsi-kapatma-davasi-kronolojisi-114196>.

<sup>52</sup> “Onur Yürüyüşü'ndeYdik!” [We were at the Pride March!], *Kaos GL*, July 3, 2007, <https://web.archive.org/web/20250811051457/https://kaosgl.org/haber/onur-yuruyusundeYdik>.

1,500. When we came out of Lambda with our placards and saw the crowd in Taksim, we genuinely said, 'What is happening?' and were frankly taken aback."<sup>53</sup>

The following year, approximately 2,500 people participated in the Istanbul LGBTI+ Pride March, also due to the effect of the campaign. In 2010, the Istanbul Trans Pride Week and Trans Pride March began to be organized one week before the LGBTI+ Pride Week and Pride March<sup>54</sup>.

Another important turning point for the LGBTI+ Pride Marches, which continued to be organized consistently from this date onward, was the Gezi Resistance. Throughout the Resistance, LGBTI+ activists organized under the "LGBTI Bloc," especially considering the importance of Gezi Park and Taksim for the LGBTI+ movement. The Istanbul LGBTI+ Pride March, held on June 30, 2013, with the theme "Resistance," was the most massive Pride March ever held, with the participation of tens of thousands of people<sup>55</sup>. This huge march can also be read as an expression of the partnership of the social opposition that came together with LGBTI+ people in Gezi. For instance, this year, "Resist Lice" slogans were seen both in the press statement of the march and in the area, referencing Medeni Yıldırım, who lost his life in Diyarbakır's Lice district during the gendarmerie intervention while protesting the construction of a gendarmerie outpost.

In the later months of the same year, LGBTI+ visibility began to increase in many cities such as Eskişehir, Antep, Adana, Mersin, Malatya, Antalya, Trabzon, and Giresun, in addition to major cities like Izmir, Ankara, and Diyarbakır. This widespread growth allowed the movement both to expand geographically and to strongly establish its own political agenda at the local level.

2014 witnessed a Pride March that was more crowded, enthusiastic, and massive than the previous one, with approximately 90,000 participants. Although the crowd could not access Taksim Square, as in the previous year, they marched down Istiklal Avenue to Tünel Square. This year also saw the first-ever LGBTI+ Pride March organized in Izmir<sup>56</sup>.

<sup>53</sup> "Stonewall'dan Lambda'ya Onur Yürüyüşü" [Pride March from Stonewall to Lambda], *Bianet*, July 19, 2008, <https://bianet.org/haber/stonewall-dan-lambda-ya-onur-yuruyusu-108442>.

<sup>54</sup> "Trans Onur Haftası Sona Erdi" [Trans Pride Week Ended], *Kaos GL*, June 15, 2010, <https://web.archive.org/web/20250421090259/https://kaosgl.org/haber/trans-onur-haftasi-sona-erdi>.

<sup>55</sup> "On Binler Onur ve Özgürlük İçin Yürüdü" [Tens of Thousands Marched for Pride and Freedom], *Kaos GL*, July 2, 2013, <https://web.archive.org/web/20250619003015/https://kaosgl.org/haber/on-binler-onur-ve-ozgurluk-icin-yurudu>.

<sup>56</sup> "İzmir'de İlk Onur Yürüyüşü Gerçekleştirildi" [The First Pride March Was Held in Izmir], *Sendika.org*, July 1, 2013, <https://sendika.org/2013/07/izmirde-ilk-onur-yuruyusu-gercekelistirildi-125418>.

## **2015 - 2025: The Anatomy of a March Under Bans in its 10th Year**

In this section, the Istanbul LGBTI+ Pride March, which began to be banned starting from 2015, will be evaluated under four headings. This distinction will specifically allow a wider contextual view of the rights violations and will serve as a brief summary of the last 10 years.

By 2015, LGBTI+ Pride Marches had become increasingly massive and spreading to different provinces, especially over the last two years. Furthermore, this period was highly significant as it coincided with the June 7, 2015 general elections, which resulted in the AKP losing its single-party rule for the first time, and the end of the peace process and de-escalation for the Kurdish issue. This year, the Istanbul LGBTI+ Pride March, intended to be held on June 28 with the theme “Normal,” was banned by the Istanbul Governorship, citing the “Ramadan month” as justification. Although CHP and HDP deputies tried to communicate with the governorship when the prohibition decision was served to the Pride Week committee, they were unsuccessful. The crowd that gathered in Taksim Square and Beyoğlu was dispersed by police and TOMAs (riot control vehicles). Trans woman Hande Kader, who would later be murdered by burning in 2016, and her friend, trans woman Didem Akay, who later took her own life, addressed journalists and complained: “You are filming but not broadcasting! No one is hearing our voice.”<sup>57</sup>

The LGBTI+ Pride March, which had been organized peacefully for 12 years in a manner that could be exemplary for the right to assembly and demonstration in Turkey, was suddenly declared “unlawful.” While the Istanbul Governorship, which cited “sensitivities during the month of Ramadan” as a justification, had not banned the march when it coincided with Ramadan in 2014, the onset of these attacks particularly in 2015 can be explained by the prevailing political climate in Turkey. In the press statement that could not be read due to the attacks, the Istanbul LGBTI+ Pride Week Committee addressed the progress of the LGBTI+ movement as follows:

*“This movement, with a 23-year history and much deeper roots, where we found the chance to loudly demand a world free from homophobia, transphobia, and sexism, gained even more visibility after the Gezi Resistance, and it found the opportunity to spread its struggle to wider masses.*

...

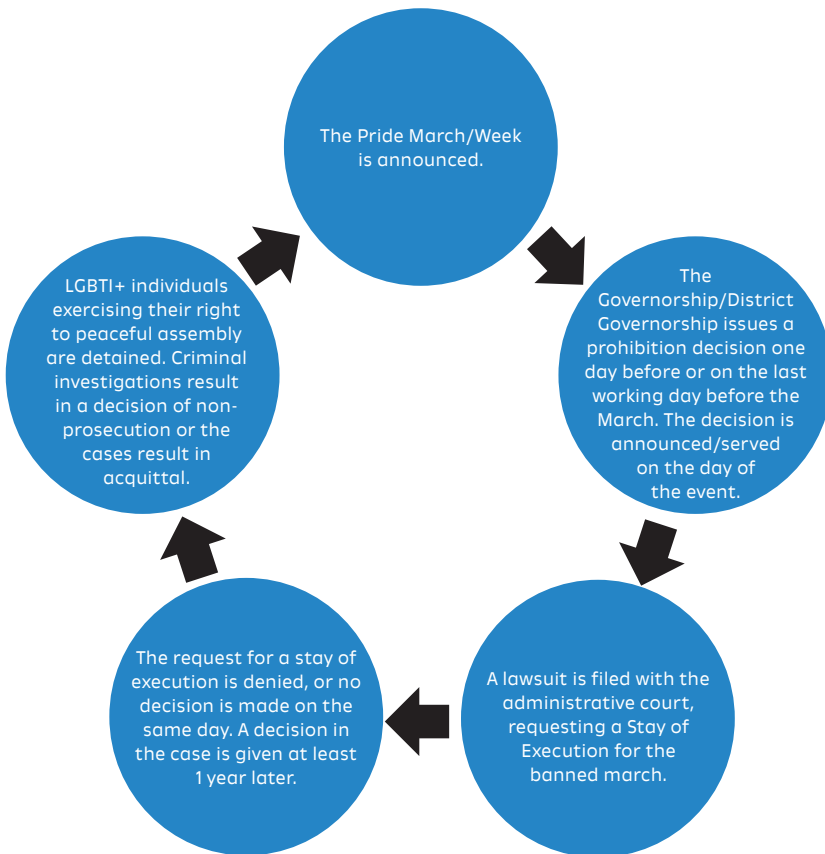
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<sup>57</sup> “İstanbul’da Onur Yürüyüşü’ne polis müdahalesi” (Police intervention in Pride March in Istanbul), *BBC News Türkçe*, June 28, 2015, [https://www.bbc.com/turkce/haberler/2015/06/150628\\_istanbul\\_onur\\_yuruyusu](https://www.bbc.com/turkce/haberler/2015/06/150628_istanbul_onur_yuruyusu).

*Throughout the year, LGBTI+ organizations were established in many local areas, LGBTI+ clubs were opened in universities, Pride Marches were held in 11 different provinces of Turkey, such as Mersin, Malatya, Çorum, and Samsun, and the LGBTI+ struggle found a place on the agenda of local governments on the basis of equal citizenship. This year, many political parties, municipalities, civil society organizations, and prominent individuals showed their support for the LGBTI+ Movement by carrying rainbow colors on their profiles during Pride Week.”<sup>58</sup>*

**Administrative Judicial Processes**

An example of the prohibition cycle for the LGBTI+ Pride Marches that began to be banned starting from 2015:



<sup>58</sup> See the statement of the Istanbul LGBTI Pride Week Committee: <https://static.bianet.org/system/uploads/1/files/attachments/000/001/437/original/onurhaftasiaciklamasi.pdf>.

Since the 2015 prohibition decision by the Istanbul Governorship was the first time such a ban was encountered, no administrative lawsuit was filed. However, a criminal complaint was lodged against the law enforcement officers of the time. The criminal complaint filed by LGBTI+ associations against the Minister of Interior, the Governor of Istanbul, and the Provincial Police Chief also resulted in a decision of non-prosecution. The subsequent individual application to the Constitutional Court (AYM) alleging the “violation of the right to assembly and demonstration” was declared inadmissible in 2021 on the grounds that it was “manifestly ill-founded.”<sup>59</sup>

In 2016, the 17 May Anti-Homophobia March, which Kaos GL wanted to organize in Ankara, was banned on the same day by the Ankara Governorship with the justification that, “*Since it is evaluated that certain segments of society may react to the group and individuals participating in the planned meeting due to certain social sensitivities, and this may lead to provocations... it would be appropriate to ban the march for the preservation of public order, the prevention of crimes, and the protection of general morality.*” Subsequently, the Istanbul Trans and LGBTI+ Pride Marches and the LGBTI+ Pride March in Izmir were also banned. While the Izmir Governorship banned the march, claiming to have received “intelligence that propaganda for terrorist organizations would be conducted,” the Istanbul Governorship cited “the safety of participants and citizens and public order” as the reason. Although Kaos GL filed a lawsuit against the Istanbul ban requesting a suspension of execution, the Istanbul 4th Administrative Court only ruled to deny the request only *after* the day of the march. The subsequent appeal against this decision was also rejected by the Istanbul Regional Administrative Court. The case was later dismissed on its merits. It was reported that no individual application was made to the Constitutional Court regarding these aforementioned decisions.

In the annulment case filed by Kaos GL requesting a suspension of execution against the decision to ban the 17 May March, the administrative court of first instance -in a first- issued a suspension of execution. However, the Regional Administrative Court, which reviewed and ruled on the Governorship’s appeal against this decision on the same day in an extraordinary manner after business hours, lifted the suspension of execution. It justified this action on the grounds that: “*Since a valid reason necessitating the march, which was banned due to its potential to create a ground for mass reaction and provocative actions, has not been put forward, it is clear that it cannot be argued that the applicant association would suffer difficult or impossible to repair damage if the disputed administrative act were to be implemented.*”<sup>60</sup> The court’s justification, which did

<sup>59</sup> Kırmızı Şemsiye Cinsel Sağlık ve İnsan Hakları Derneği [I. B.], App. No: 2016/14547, 28/12/2021.

<sup>60</sup> Ankara Regional Administrative Court 12th Chamber of Litigation, File No. 2017/778, Decision No. 2017/1135.

not view May 17, an internationally significant day for LGBTI+ individuals celebrated in Ankara since 2006, as a “valid reason necessitating the march on the said date”, once again demonstrated how vital the exercise of the right to peaceful assembly and demonstration is for LGBTI+ people. This is because society can only become aware of the rights demands of LGBTI+ individuals through the effective use of this right. The Governorship defended the ban in court by citing the congress of a political party on the same day as the march and the cycle of violence that began with the attacks on the HDP’s Diyarbakır election rally on June 5, 2015.

KaosGL filed an individual application with the Constitutional Court against the decision to lift the suspension of execution. In 2022, the Court, ruling as a General Assembly, decided that the right to assembly and demonstration had not been violated. The decision was reached by a majority of nine votes to six. Six members, including the President and Vice-President, who disagreed with the Court’s justification and wrote dissenting opinions, made very accurate observations regarding the use of the right to assembly and demonstration. Vice-President Hasan Tahsin Gökcan, one of the dissenting members, noted the following:

*“In the concrete case, the Governorship banned the demonstration organized by the Association, relying on Article 17 of Law No. 2911, based on the abstract justification that some segments might react to the participants of the march due to certain social sensitivities, and that provocations might occur. However, neither the administration’s abstract justifications for the administrative act nor the decision of the Regional Administrative Court lifting the suspension of execution could put forward a relevant and sufficient justification that the interference met a necessary social need. The aforementioned decisions were built on abstract conceptual references and probabilities, and were not based on concrete data or facts. The public authorities mentioned are the bodies that should put forward this justification. For this reason, I do not find it appropriate that the application was dismissed with substitute justifications regarding the general situation of the country or the relevant city at the time of the action, as stated in the justification written by the majority opinion of our Court (see para. 58).”<sup>61</sup>*

The majority also deviated from the current jurisprudence of the ECtHR and the Constitutional Court itself, building its conclusion on the lengthy quotes from the justification of *the Christians Against Racism and Fascism* decision, which was given 42

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<sup>61</sup> *KaosGL Derneği (3) [General Assembly], App. No: 2016/11193, 20/10/2022, Hasan Tahsin Gökcan’s Dissenting Opinion, § 4.*

years ago during the era of the European Commission of Human Rights. However, the Commission itself reviewed and changed its view in that decision some time later<sup>62</sup>.

Only Engin Yıldırım, in his own dissenting opinion, stated the view that the “prohibition of discrimination” regulated by Article 10 of the Constitution was also violated. Yıldırım’s view is as follows:

*“When we consider that the Association seeking to organize the meeting is an organization advocating LGBTI rights and that the subject of the meeting is related to these rights, the phrases ‘social sensitivity or sensibilities’ used in the evaluations of the competent authorities, and the inclusion of ‘the protection of general morality’ among the reasons used by the Provincial Police Department to ban the meeting, create the impression that discriminatory treatment based on sexual orientation played a role in the interference with the Association’s right to assembly and demonstration. This is because when LGBTI individuals and organizations exercise their constitutional rights, especially those with a collective dimension, the individuals and organizations reacting to this community frequently cite ‘social sensitivities’ and ‘general morality’ as the basis for their reactions and criticisms. Similarly, ‘social sensibilities’ and ‘general morality’ can be cited as justification in interferences and restrictions implemented by public authorities on the exercise of these rights.”<sup>63</sup>*

Following the Constitutional Court’s decision in 2022 that there was no violation, KaosGL also applied to the European Court of Human Rights (ECtHR). This application was communicated to the Turkish government by the Court on June 5, 2024, requesting answers to questions regarding the compliance of the LGBTI+ event bans with the case-law of the ECtHR<sup>64</sup>.

*The indefinite ban on all LGBTI+ events in Ankara by the Ankara Governorship on November 18, 2017, under the shadow of the state of emergency declared after the July 15, 2016 coup attempt, marked a significant turning point concerning the LGBTI+ community’s right to peaceful assembly and demonstration. The Governorship cited “societal sensitivities and sensibilities,” “public security,” “the protection of general health and morality,” and “the protection of the rights and freedoms of others” as the grounds*

<sup>62</sup> European Court of Human Rights, *Guide on the Case-Law of the European Convention on Human Rights – Mass Demonstrations*, [https://ks.echr.coe.int/documents/d/echr-ks/guide\\_mass\\_protests\\_eng](https://ks.echr.coe.int/documents/d/echr-ks/guide_mass_protests_eng).

<sup>63</sup> *KaosGL Derneği (3) [General Assembly]*, App. No: 2016/11193, 20/10/2022, *Engin Yıldırım’s Dissenting Opinion*, § 33.

<sup>64</sup> Application Nos. 5797/22 and 27507/23. See: <https://hudoc.echr.coe.int/?i=001-234812>.

for its decision<sup>65</sup>. Although the prohibition decisions that were based on the relevant vague articles of Law No. 2911 on Meetings and Demonstration Marches and Law No. 5442 on Provincial Administration were annulled by courts over the years, the legislature did not make any changes in this regard, thus paving the way for the violation of the right to peaceful assembly and demonstration of LGBTI+ individuals in particular. Furthermore, these bans greatly affected the public visibility of LGBTI+ individuals and associations in Ankara, where the organized LGBTI+ struggle had been very strong since the early 1990s, and became one of the strong steps towards the criminalization of the LGBTI+ rights struggle in the public eye.

KaosGL filed an annulment lawsuit demanding a suspension of execution against the ban. While the Ankara 4th Administrative Court found the prohibition decision to be “proportionate and lawful,” it stated that the ban would become void once the state of emergency ended. However, restrictions on fundamental rights must only be “prescribed by law, based on a legitimate aim, proportionate, and necessary in a democratic society.” The Ankara Governorship’s prohibition decision did not meet these legal safeguards. Consequently, following an appeal by KaosGL to a higher court, in April 2019, the Ankara Regional Administrative Court 12th Administrative Chamber overturned the administrative court of first instance court’s decision and ruled for the annulment of the ban. In its justification, the Chamber stated that the administrative action was not compliant with the law because a proportionate balance must be observed between public security and the exercise of the freedom of assembly and demonstration; the administration is obligated to take necessary measures for the exercise of the freedom of assembly; and since public order can be established by taking the necessary security precautions, restricting the right to the extent that measures could be taken by the administration was preferable to restricting fundamental rights and freedoms indefinitely, unconditionally, vaguely, and disproportionately<sup>66</sup>.

Although the lawsuit was essentially won, KaosGL also requested a suspension of execution to prevent the entire decision from remaining in effect for more than two years. Against the request, which was denied by the first-instance and appellate courts, KaosGL filed an individual application with the Constitutional Court. The Constitutional Court, with its decision in the *KaosGL Association Application (2)* case, ruled that the association’s allegation of a violation of the right to assembly and demonstration was

<sup>65</sup> Ankara Governorship, Press Release Regarding the Prohibition Decision, 19 November 2017, <http://www.ankara.gov.tr/yasaklama-kararina-iliskin-basin-duyurusu-19112017>.

<sup>66</sup> The decision of the Ankara Regional Administrative Court 12th Administrative Chamber dated 21.02.2019, File No. 2019/93, Decision No. 2019/306.

inadmissible due to a lack of standing *ratione personae*<sup>67</sup>. The Court explained its justification as follows:

*“In the present case, the applicant Association did not explain, based on concrete events in the individual application form, the importance for itself of exercising the right to hold a meeting and demonstration between the date of the administrative action and the date of the application, and merely stated that its Constitutional rights were violated due to the administrative action. The applicant did not further allege that its ability to fulfill the functions of its legal entity was affected by the administration’s prohibition decision during the said period, that a planned meeting or demonstration was completely rendered ineffective, or that the awareness it sought to create with its activities would not materialize.”*

The Ankara Governorship banned “cinema, cinevision, theatre, panel, talk, exhibition, and similar events organized by LGBTTT, LGBTI, etc. organizations in various parts of our province that include certain societal sensitivities and sensibilities”. It is contrary to the ordinary course of life to claim that an institution whose main field of activity, according to its association charter, is LGBTI+ rights could carry out its activities following the mentioned decision. KaosGL also filed an individual application with the ECtHR after this decision. The government, in its response to the Court regarding the application in 2025, claimed that the LGBTI+ themed short film screening planned to be held at the Ankara Bar Association, which was first banned and then had its prohibition decision annulled after a lawsuit was filed, “took place without interference” during the period between November 2017 and April 2019, commonly referred to as the “1st Ankara ban”.<sup>68</sup> On the same day as the state of emergency ban in Ankara, the short film screening of Turkey’s first queer film festival, Pink Life QueerFest, at the Pera Museum in Istanbul was banned by the Beyoğlu District Governorship. After the objection process carried out by the Pink Life Association was unsuccessful, an individual application was made to the Constitutional Court in 2019<sup>69</sup>. As of today, no decision has been rendered regarding the application.

<sup>67</sup> *Kaos Gl Derneği (2)* [1st Section], App. No: 2018/10351, 7/9/2021, § 32.

<sup>68</sup> “Valiliğin ‘Türkiyeden LGBTI+ Kısa Filmler Seçkisi’ yasağı iptal edildi” [Governorship’s ban on ‘Selection of LGBTI+ Short Films from Turkey’ annulled], *T24*, June 3, 2019, <https://t24.com.tr/haber/valiligin-turkiye-den-lgbti-kisa-filmler-seckisi-yasagi-iptal-edildi,824237>.

<sup>69</sup> “Beyoğlu Kaymakamlığı yasağı Anayasa Mahkemesi’nde” [Beyoğlu District Governorship ban at the Constitutional Court], *Pembe Hayat*, February 8, 2019, <https://www.pembehayat.org/haberler/beyoglu-kaymakamligi-yasagi-anayasa-mahkemesi-rsquo-nde-2059>.

After not being extended for the first time in two years, the state of emergency ended on the night of July 17, 2018. Numerous rights violations occurred through Emergency Decrees (KHKs) during the state of emergency period. Even though the state of emergency ended, for LGBTI+ individuals, the state of emergency became the 'ordinary state.' In Ankara, even before the prohibition decision announced during the state of emergency period was annulled, it was learned from internal correspondence between the Governorship and the Police Department on October 3, 2018, that LGBTI+ events were again indefinitely banned. As a result of the legal struggle carried out by KaosGL, the Ankara 2nd Administrative Court ruled for the annulment of this prohibition decision in 2020. The court stated that the ban previously declared during the state of emergency period and publicly known as the '1st indefinite LGBTI+ event ban' had been lifted by the Regional Administrative Court in April 2019, and a ban that was not found lawful even during the state of emergency period could not be lawful during the ordinary period<sup>70</sup>.

While "indefinite bans" left their mark on the right to peaceful assembly and demonstration for LGBTI+ individuals in Ankara during the state of emergency, the rest of Turkey did not present a different picture<sup>71</sup>. Additionally, the Mersin, Adana, and METU (Middle East Technical University) Pride Parades were also banned during this period. LGBTI+ activists reported how the state of emergency became the 'ordinary state,' citing the detention of LGBTI+ activists due to social media posts, increased pressure on transgender sex workers especially under the Misdemeanor Law, and how the diminished likelihood of going out due to state of emergency led LGBTI+ individuals to turn to alternative organizing spaces<sup>72</sup>. Despite all the repression, thanks to the resilience and creativity of LGBTI+ activists, events were held in some provinces and universities. For example, instead of a parade, a cycling event titled "Pedaling Despite the Hate" ("Nefrete İnat Pedallıyoruz") was organized within the scope of the 2nd Antalya Pride Week<sup>73</sup>. Thousands of people attended the 6th Izmir Pride Parade in Izmir<sup>74</sup>. The 8th METU Pride Parade was held

<sup>70</sup> "Ankara'daki ikinci LGBTİ+ etkinlik yasağı da kaldırıldı!" [The second LGBTI+ event ban in Ankara was also lifted!], *Kaos GL*, March 23, 2020, <https://web.archive.org/web/20250524101101/https://kaosgl.org/haber/ankara-daki-ikinci-lgbti-etkinlik-yasagi-da-kaldirildi>.

<sup>71</sup> "OHAL'de LGBTİ'ler için sokaklar daha güvensiz!" [Streets are more unsafe for LGBTI+s during the state of emergency!], *Kaos GL*, July 21, 2017, <https://web.archive.org/web/20250425163621/https://kaosgl.org/haber/ohalrsquode-lgbtirsquoler-icin-sokaklar-daha-guvensiz>.

<sup>72</sup> "OHAL'de LGBTİ Olmak" [Being LGBTI during the state of emergency], *Susma Platformu*, June 20, 2019, [https://www.youtube.com/watch?v=uH5GE2stZ\\_I](https://www.youtube.com/watch?v=uH5GE2stZ_I).

<sup>73</sup> "Nefrete İnat Pedalla ! - Yürütüyorlar OHAL DE Pedallıyor muyuz?" [Pedal Despite the Hate! - They don't let us march, are we pedaling during the state of emergency?], *Antalya Pride*, June 23, 2018, <https://antalyapride.blogspot.com/2018/06/nefrete-inat-pedalla-yurutmuyorlar-ohal.html>.

<sup>74</sup> "6. İzmir Onur Yürüyüşü'nde binlerce kişi sokakları doldurdu" [Thousands filled the streets at the 6th Izmir Pride Parade], *Sendika.org*, June 10, 2018, <https://sendika.org/2018/06/6-izmir-onur-yuruyusunda-binlerce-kisi-sokaklari-doldurdu-496886>.

despite the efforts of the rectorate to block it, with the support of other METU student groups<sup>75</sup>. The 6th Boğaziçi Pride Parade brought students together on the North Campus under the theme “Get Used to It, We Are Here”<sup>76</sup>. Although the Governorship rejected the application, the 4th Mersin Pride Week Committee gathered and held a press statement and marched on alternative routes<sup>77</sup>.

In 2019, the Izmir Pride Parade which, in contrast to the bans in Istanbul, had taken place without police intervention until that year, was banned by a Governorship decision on June 14—the last working day before Pride Week. Although the lawsuit filed by the Young LGBTI+ Association against the prohibition decision resulted in the first-ever suspension of execution for specific events, the Pride Parade itself remained under the ban. This, in fact, was the first and last time LGBTI+ events could be held thanks to the institution of suspension of execution<sup>78</sup>. Although the local court did not rule in their favor, the Izmir Regional Administrative Court finally overturned the prohibition decision in 2021, finding it unlawful<sup>79</sup>. In its justification, the Court adopted a rights-based approach consistent with ECHR case law. According to the Court:

*“Seen to be aimed at creating sensitivity and awareness in society against the hate, discrimination, and violence faced by a segment of society differentiated by gender identity and sexual orientation, the ‘Pride Parade’ is the exercise of a fundamental right and freedom that must be protected in a democratic society because it will contribute to pluralism and peaceful coexistence. The obligation placed on the State by the right to protect one’s material and moral existence is a requirement of the positive obligation to protect the right*

<sup>75</sup> “8. ODTÜ Onur Yürüyüşü’nde Öğrenciler ‘Yasakları Yasakla’ Dedi” [Students Said ‘Ban the Bans’ at the 8th METU Pride Parade], *Bianet*, May 12, 2018, <https://bianet.org/haber/8-odtu-onur-yuruyusu-nde-ogrenciler-yasaklari-yasakla-dedi-197095>.

<sup>76</sup> “Boğaziçi Üniversitesi 6. LGBTİ+ Onur Yürüyüşü: Alışın, buradayız!” [Boğaziçi University 6th LGBTI+ Pride Parade: Get Used to It, We Are Here!], *Kaos GL*, April 26, 2018, <https://web.archive.org/web/20250619070435/https://kaosgl.org/haber/bogazici-universitesi-6-lgbti-onur-yuruyusu-alisin-buradayiz>.

<sup>77</sup> “4. Mersin Onur Yürüyüşü: LGBTİ+’lar valilik kararını tanımadı” [4th Mersin Pride Parade: LGBTI+s did not recognize the governorship’s decision], *Sendika.org*, July 14, 2018, <https://www.google.com/search?q=https://sendika.org/2018/07/4-mersin-onur-yuruyusu-lgbtilar-valilik-kararini-tan%C4%B1mad%C4%B1-502815>.

<sup>78</sup> “İzmir Onur Haftası etkinliklerinin bir kısmına getirilen yasağın yürütmesi durduruldu” [*The execution of the ban imposed on some of the Izmir Pride Week events has been suspended*], *Kaos GL*, 19 Haziran 2019, <https://web.archive.org/web/20250709133954/https://kaosgl.org/haber/izmir-onur-haftasi-etkinliklerinin-bir-kismina-getirilen-yasagin-yurutmesi-durduruldu>.

<sup>79</sup> “7. İzmir LGBTİ+ Onur Yürüyüşü yasağı iptal edildi” [*Ban on the 7th Izmir LGBTI+ Pride March annulled*], *Kaos GL*, 20 January 2021, <https://web.archive.org/web/20250803024420/https://kaosgl.org/haber/7-izmir-lgbti-onur-yuruyusu-yasagi-iptal-edildi>.

*to life of all individuals within its jurisdiction against interventions that may arise from the actions of public authorities, other individuals, or the person themselves.”<sup>80</sup>*

In the same year, the 3rd Antalya Pride Week<sup>81</sup>, the 5th Mersin Pride Parade<sup>82</sup>, and the Pride Week intended to be held for the first time in Adana were also banned by Governorship decisions. Regarding the annulment lawsuit filed by the Muamma LGBTI+ Association against the Governorship’s decision in Mersin, the Adana Regional Administrative Court issued a ruling for annulment only three years later<sup>83</sup>. The LGBTI+ community, unable to march due to the ban, organized a “Pride Picnic”<sup>84</sup>. The banning of parades by Governorships despite court decisions pushed LGBTI+ individuals to organize alternative events.

The year 2019 was also quite eventful for the Istanbul LGBTI+ movement in terms of bans. That year, the Istanbul LGBTI+ Pride Week Committee pursued a strategy, particularly considering the reason cited for the previous year’s ban, which was that “Taksim Square and Istiklal Avenue are not among the areas authorized by the Istanbul Governorship for assembly and demonstration.” Representatives of the Istanbul LGBTI+ Pride Week Committee met with Istanbul Deputy Governor Mehmet Ali Özyiğit on June 11, 2019. Özyiğit stated that they would not be favorable to the request, claiming that “Taksim is not an area for marching and demonstration, and just as no demonstrations are permitted in Taksim, LGBTI+s will not be allowed either,” and further alleging that LGBTI+s are a “socially hesitant group” for all outdoor gatherings to be held in Istanbul, not just Taksim. Following this, the Pride Week Committee and the Social Policy, Sexual Orientation, and Gender Identity Studies Association (SPoD) jointly filed an official application to march in Bakırköy Square, one of the meeting, demonstration, and march areas annually announced by the Istanbul Governorship. However, the Istanbul Governorship also denied permission for the rally application in Bakırköy Square, and SPoD filed an annulment lawsuit against this decision. Rejected by the first-instance court on the grounds that

<sup>80</sup> Decision of the Izmir Regional Administrative Court, 6th Chamber of Administrative Litigation, File No. 2020/845, Decision No. 2020/1916.

<sup>81</sup> “Antalya Valiliği, 3. Antalya Onur Haftası’nı yasakladı!” [Antalya Governorship banned the 3rd Antalya Pride Week!], *Kaos GL*, June 15, 2019, <https://web.archive.org/web/20250715044901/https://kaosgl.org/haber/antalya-valiligi-3-antalya-onur-haftasini-yasakladi>.

<sup>82</sup> “Mersin Valiliği, LGBTİ+ etkinliklerini 20 gün süreyle yasakladı” [Mersin Governorship banned LGBTI+ events for 20 days], *Kaos GL*, June 16, 2019, <https://web.archive.org/web/20250517093614/https://kaosgl.org/haber/mersin-valiligi-lgbti-etkinliklerini-20-gun-sureyle-yasakladi>.

<sup>83</sup> Decision of the Adana Regional Administrative Court 3rd Administrative Chamber dated 27.01.2022, File No. 2020/908, Decision No. 2022/130.

<sup>84</sup> “Mersin Onur Haftası yasağı davasında karar: Devlet yasaklamak yerine korumalı!” [Decision in the Mersin Pride Week ban case: The state should protect instead of ban!], *Kaos GL*, January 13, 2023, <https://web.archive.org/web/20250517053409/https://kaosgl.org/haber/mersin-onur-haftasi-yasagi-davasinda-karar-devlet-yasaklamak-yerine-korumali>.

“there were security-related tips regarding the event in question submitted via CİMER [the Presidency’s Communication Centre]”, the lawsuit was only accepted by the Istanbul Regional Administrative Court 10th Administrative Chamber at the end of 2020, and the prohibition decision was found unlawful by the higher court<sup>85</sup>. Thus, it was confirmed that preventing LGBTI+ individuals from gathering even in a square designated by the Governorship as an area for assembly and demonstration in Istanbul was unlawful.

However, the prohibition decisions issued by the governorships, which contravened the ban on discrimination, did not cease. According to Article 10 of the Constitution, titled “Equality before the law” and regulating the prohibition of discrimination, “Everyone is equal before the law without distinction based on language, race, color, sex, political opinion, philosophical belief, religion, sect, or any such grounds.” Furthermore, according to the Constitutional Court’s case law, the grounds for discrimination listed in Article 10 of the Constitution, such as “language, race, color, sex, political opinion, philosophical belief, religion, sect,” are stated as examples and are not limited to those listed in the text of the article. Within this scope, differential treatment of individuals by public authorities solely due to their *sexual preference*<sup>86</sup> must be considered a violation of the prohibition of discrimination<sup>87</sup>.

In late August 2019, the Kadıköy District Governorship issued a prohibition decision for the 3rd Queer Olympix events, which consisted of sports activities planned to be held in Kalamış Park. This decision was taken to court by SPoD. In the scope of the case file, the District Governorship did not even feel the need to provide a defense for the ban, and the Istanbul 5th Administrative Court annulled the prohibition decision only in May 2020<sup>88</sup>.

Looking at 2019, it is striking that all Pride Parade organizers attempted to pursue legal avenues, and even chose unconventional locations -like Bakırköy- to expose the public pressure policy applied to LGBTI+ individuals through the law itself. While all prohibition decisions issued during this period were subsequently annulled by the courts, the requests for a suspension of execution were not granted in any of them. First-

<sup>85</sup> The decision of the Istanbul Regional Administrative Court 10th Administrative Chamber, File No. 2020/910, Decision No. 2020/1502, <https://bianet.org/haber/mahkeme-2019-istanbul-onur-yuruyusu-icin-bakirkoy-yasagini-iptal-etti-235729>.

<sup>86</sup> This term is used because the Constitutional Court, in the relevant decision, used the problematic terminology “sexual preference” instead of the expression for sexual orientation and gender identity.

<sup>87</sup> C.D. [2nd Section], App. No: 2014/19308, 15/2/2017, § 34.

<sup>88</sup> See Decision of the Istanbul 5th Administrative Court, File No. 2019/1976, Decision No. 2020/483. “SPoD ve Queer Olympix, Kadıköy Kaymaklığı’na Karşı Açtıkları Davayı Kazandı!” [SPoD and Queer Olympix Won the Case Against the Kadıköy District Governorship!], SPoD, June 1, 2020, <https://spod.org.tr/spod-ve-queer-olympix-kadikoy-kaymakligina-karsi-actiklari-davayi-kazandi/>.

instance courts -with one exception- ruled that the prohibition decisions were lawful, but all these decisions were overturned by appellate courts. We can briefly view the situation here as the instrumentalization of law. In fact, the very institutions expected to protect the right to peaceful assembly and demonstration served as examples of 'how to prevent the exercise of a right.' According to a report prepared by the Association for Monitoring Equal Rights, especially considering the 2019 court decisions, the administrative judiciary in Turkey lost its characteristic as an effective remedy for the right of LGBTI+ individuals to peaceful assembly and demonstration<sup>89</sup>. Moreover, although all participants who were detained and subjected to judicial harassment through investigations/prosecutions were acquitted after trials lasting at least two years, this situation itself began to create a chilling effect on the exercise of the right to peaceful assembly and demonstration.

Starting in March 2020, due to the global COVID-19 pandemic, the right to peaceful assembly and demonstration in Turkey was suspended through regulations such as 'curfews, public health, and social distancing rules.' As of this period, prohibition decisions and interventions justified by COVID-19 became routine practices. The 4th-anniversary commemoration planned in Kadıköy for the terrorist attack carried out by ISIS on the Pulse Club, mostly frequented by LGBTI+ individuals in the US in 2016, which resulted in the death of 49 people, was banned by the District Governorship<sup>90</sup>. Similarly, two people who wanted to distribute a leaflet in Kadıköy for May 17th were detained<sup>91</sup>. The Istanbul LGBTI+ Pride Week held its parade virtually via an interactive map on the website *neredesinlubunya.com* due to the pandemic<sup>92</sup>.

In 2021, which continued under the shadow of the pandemic, the Istanbul LGBTI+ Pride Week Committee applied to the Istanbul Governorship for the Maltepe Rally Area, just as they had in 2019. The application was again rejected under the signature of Deputy Governor Mehmet Özdoğan, who claimed that LGBTI+ individuals were a "socially hesitant group" for all outdoor actions to be held in Istanbul. The rejection cited all the generic

<sup>89</sup> D. Çiğdem Sever, *Türkiye'de Toplantı ve Gösteri Yürüyüşü Hakkı Bakımından İdari Yargının Etkili Başvuru Yolu Olma Niteliği* [The Quality of the Administrative Judiciary as an Effective Remedy for the Right to Assemble and Demonstrate in Turkey] (Association for Monitoring Equal Rights, 2022), [https://www.esithaklar.org/wp-content/uploads/2022/07/Toplantı-gösteri-etkili-basvuru-rapor\\_TR.pdf](https://www.esithaklar.org/wp-content/uploads/2022/07/Toplantı-gösteri-etkili-basvuru-rapor_TR.pdf).

<sup>90</sup> "Kadıköy'deki Orlando katliamı anmasına polis engeli" [Police obstruction of the Orlando massacre commemoration in Kadıköy], *T24*, June 12, 2020, <https://t24.com.tr/haber/kadikoye-deki-orlando-katliami-anmasına-polis-engeli,883984>.

<sup>91</sup> "Polis, Kadıköy'de 17 Mayıs eylemi yapanlara saldırdı" [Police attacked those holding a May 17th action in Kadıköy], *Kaos GL*, May 15, 2020, <https://web.archive.org/web/20250420215858/https://kaosgl.org/haber/polis-kadikoy-de-17-mayis-eylemi-yapanlara-saldirdi>.

<sup>92</sup> Istanbul LGBTI+ Onur Haftası (@istanbulpride), 28 June 2020, <https://x.com/istanbulpride/status/1277230092004069385>.

restriction grounds found in Laws No. 2911 and 5442<sup>93</sup>. Following the call by the Istanbul LGBTI+ Pride Week for a march in Taksim, the Beyoğlu District Governorship also issued a prohibition decision. Following these prohibition decisions, the Council of Europe Commissioner for Human Rights sent a letter to the then Ministers of Interior and Justice, communicating that all necessary measures must be taken to protect the right of LGBTI+ individuals to peaceful assembly and demonstration, that bans on LGBTI+ events should be lifted, and that every measure should be taken for the safety of the participants<sup>94</sup>.

Considering that the precedent-setting court decisions obtained through legal challenges against prohibition decisions since 2016 were disregarded by the administrations and the bans continued every year, no lawsuits were filed against these two decisions either. As mentioned above, several factors contributed to the decision not to pursue this legal route, including the lack of an effective remedy for the LGBTI+ community's right to assembly and demonstration, the subjects' lack of trust in the legal system, and most importantly, the fact that even court decisions viewed as victories were inherently non-enforceable.

In 2021, not only the march but even holding a picnic within the scope of the Istanbul LGBTI+ Pride Week was banned. First, the vegan picnic planned to be held in Heybeliada had to be canceled, despite the absence of an official prohibition decision, after police officers searched the event venue. Subsequently, following the announcement that the picnic would take place in Maçka Park in Şişli, the District Governorship banned all LGBTI+ activities in Şişli for 30 days, including “long-term sitting”. Following the prohibition order, police intervened against the 250–300 people who nevertheless gathered in Maçka Park; during the ensuing scuffle, one person's arm was broken and lawyers were also assaulted<sup>95</sup>. A criminal case filed against one individual based on a complaint alleging that they “spat at and insulted a public official” resulted in an acquittal<sup>96</sup>. The annulment lawsuit filed by SPoD against the prohibition decision was rejected by the first-instance court. What is striking here is that the court rejected the case, even though the District Governorship did not submit a defense, on the grounds of “resistance to law enforcement, the unknown

<sup>93</sup> “19. İstanbul LGBTİ+ Onur Yürüyüşü yasaklandı” [The 19th İstanbul LGBTI+ Pride Parade was banned], *Bianet*, 24 June 2021, <https://bianet.org/haber/19-istanbul-lgbti-onur-yuruyusu-yasaklandi-246257>.

<sup>94</sup> Council of Europe Commissioner for Human Rights, “Turkish authorities should stop the stigmatisation of LGBTI people”, 24 June 2021, <https://www.coe.int/en/web/commissioner/-/turkish-authorities-should-stop-the-stigmatisation-of-lgbti-people>.

<sup>95</sup> “Piknik Yasağı, Nefret Politikasının İzdüşümü” [Picnic Ban, Reflection of the Politics of Hate], *Sivil Sayfalar*, 24 June 2021, <https://www.sivilsayfalar.org/2021/06/24/piknik-yasagi-nefret-politikasinin-izdusumu/>.

<sup>96</sup> “2021 İstanbul Onur Yürüyüşü davalarının sonucunda da beraat!” [Acquittal in the last of the 2021 İstanbul Pride Parade cases!], *Kaos GL*, 21 February 2023, <https://www.sessizkalma.org/tr/haberler/2021-istanbul-onur-yuruyusu-davalarinin-sonucunda-da-beraat>.

identity of the picnic organizers, the possibility of uncontrolled gathering turning into an illegal action by individuals in an organizational structure, and Covid-19 measures.” In this instance, the administrative court substituted its own judgment for that of the administration whose decision it was meant to review for lawfulness, thereby making an assessment that violated the principles of judicial independence and legal oversight of administrative acts. Following SPoD’s objection to this decision, the prohibition decision was finally annulled by the Istanbul Regional Administrative Court 10th Administrative Chamber only in January 2024 (2 years and 6 months after the picnic took place). The justification for the decision stated that the administration had violated its positive obligations because it failed to demonstrate clear, concrete, and imminent danger that a crime would be committed<sup>97</sup>.

The year 2022 was one of the years since 2015 when LGBTI+ events were most frequently banned and attacks reached their highest level. In 2022, a coalition of government-backed NGOs, mentioned above, established an initiative called the “Great Family Platform” and began organizing anti-LGBTI+ and anti-gender rallies in many cities, primarily Istanbul. While the right of LGBTI+ individuals to peaceful assembly and demonstration had been banned for seven years despite court decisions, the gathering of opposing groups and the spread of hate speech, which cannot be protected under freedom of expression, were actively supported by the government. In 2022, for the first time, all events of the Istanbul LGBTI+ Pride Week in the districts of Beyoğlu and Kadıköy were banned. This marked the first Pride Week to be entirely banned since the Sexual Freedom Events were prohibited in 1993.

SPoD filed separate annulment lawsuits against the prohibition decisions of the Beyoğlu and Kadıköy District Governorships on the same day, requesting a suspension of execution. However, defenses were received only months later in both cases. The Beyoğlu District Governorship attempted to explain its prohibition decision in its defense petition sent to the court with abstract reasons that had no legal equivalent, such as “global centers of evil”<sup>98</sup>. Following the rejection of the requests for a suspension of execution by the Istanbul 10th Administrative Court and the Istanbul Regional Administrative Court 10th Administrative Chamber, an individual application was filed with the Constitutional Court, alleging that the rights to freedom of expression, freedom of assembly, and freedom

<sup>97</sup> “SPoD ve İstanbul LGBTİ+ Onur Haftası, 2021 Maçka Parkı Yasasına Dair Davayı Kazandı!” [SPoD and İstanbul LGBTI+ Pride Week Won the Case Regarding the 2021 Maçka Park Ban!], *SPoD*, January 11, 2024, <https://spod.org.tr/spod-ve-istanbul-lgbti-onur-haftasi-2021-macka-parki-yasagina-dair-davayi-kazandi/>.

<sup>98</sup> Umut Rojda Yıldırım, *2015’ten Günümüze Yasaklarla İstanbul LGBTİ+ Onur Yürüyüşü [İstanbul LGBTI+ Pride Parade with Bans from 2015 to the Present]* (SPoD, December 2022), <https://spod.org.tr/wp-content/uploads/2022/12/2015ten-Gunumuze-Yasaklarla-Istanbul-LGBTI-Onur-Yuruyusu.pdf>.

of association, the prohibition of discrimination, the right to an effective remedy, and the right to a reasoned judgment were violated both individually and collectively concerning the request for a suspension of execution<sup>99</sup>. As of the date of writing this report, no decision has yet been rendered regarding these applications. Following the rejection of the requests for a suspension of execution, the lawsuits were also dismissed on the merits. The Istanbul Regional Administrative Court 10th Administrative Chamber, which had annulled the prohibition decisions in lawsuits filed against the bans in 2019 and 2021, dismissed both lawsuits filed for the 2022 events on the merits, nearly two years later, and in a manner that failed to meet the right to a reasoned judgment<sup>100</sup>.

However, just two days after the rejection of the lawsuit filed against the prohibition on Pride Week events in Beyoğlu, the same chamber panel, in an annulment lawsuit filed regarding the prohibited March 8 Feminist Night March, which also took place in Beyoğlu in 2022, ruled to overturn the prohibition -very appropriately- on the grounds that the prohibition decision was contrary to the Constitution and the ECHR and that the reasons for the prohibition were abstract in nature<sup>101</sup>. However, the same panel and the same chamber, 'for reasons unknown,' did not annul the prohibition on the LGBTI+ Pride March and all other events, thus contradicting their own decisions, issuing two opposing decisions within two days. This stance is very important for us to see the attitudes of judicial officials, especially concerning files related to LGBTI+ individuals that come before them, and that they are not immune to the discriminatory rhetoric of daily politics. This judicial stance can be seen as the manifestation in the judiciary of policies carried out to break the bond between two strong social movements that have walked hand-in-hand for nearly 40 years, such as the practice of not allowing LGBTI+ flags in demonstration marches on important days for the feminist and women's movement in recent years<sup>102</sup>, and to 'protect [women's rights] from the alleged exploitation of women's rights by the LGBTI+ rights struggle,' as claimed by the globally escalating anti-LGBTI+ politics.

A lawsuit was filed by Genç LGBTI following the prohibition of the Izmir 10th Pride March by the Izmir Governorship in 2022. Although the administrative court of first instance

<sup>99</sup> See individual applications numbered 2022/93578 and 2022/100193.

<sup>100</sup> Decision of the Istanbul Regional Administrative Court 10th Administrative Chamber, dated 25.01.2024, File No. 2023/1536, Decision No. 2024/159 and Decision of the Istanbul Regional Administrative Court 10th Administrative Chamber, dated 23.01.2024, File No. 2023/1537, Decision No. 2024/74.

<sup>101</sup> ÖHD Istanbul (@ohd\_istanbul), 20 March 2024, [https://x.com/ohd\\_istanbul/status/1770447552413905282](https://x.com/ohd_istanbul/status/1770447552413905282).

<sup>102</sup> "Polis Ankara'da 8 Mart gündüz eylemine "Transız" dövizini almadı, "8 Mart'la alakası yok" dedi" [Police did not allow a "We are Trans" banner at the March 8 daytime protest in Ankara, saying "it has nothing to do with March 8"], *Kaos GL*, 8 March 2021, <https://web.archive.org/web/20250418232037/https://kaosgl.org/haber/polis-ankarada-8-mart-gunduz-eylemine-transiz-dovizini-almadi-8-mart-la-alakasi-yok-dedi>.

decided to reject the case, the Izmir Regional Administrative Court accepted the appeal a year later and ruled that the prohibition was unlawful<sup>103</sup>. However, the lawsuit filed against the prohibition of the Pride March in Eskişehir, also in 2022, was rejected by the Eskişehir 1st Administrative Court. In its rejection decision, the court relied on a document marked 'CONFIDENTIAL' presented by the governorship, citing that potential terrorist attacks targeting LGBTI+ events could not be prevented<sup>104</sup>. Although this justification for prohibition, used since 2015, proceeds from the premise that there is intelligence regarding potential terrorist attacks against LGBTI+ events, such strong claims can only be protected within the legal order to the extent that they are proven with concrete foundations. Moreover, interventions in the right to peaceful assembly and demonstration must be proportionate. The existence of the same degree and form of 'terror threat' every year across Turkey since 2015 is contrary to the ordinary course of life. While administrative bodies should take measures within the scope of their positive obligations towards this threat, the marches only result in ill-treatment and violence caused by the police. Also during this period, the Istanbul Trans Pride Week began to be re-organized, particularly as a response to the attacks launched against trans individuals. The prohibitions on the Mersin and METU (ODTÜ) Pride Marches were, this time, annulled by the administrative courts<sup>105</sup>.

Throughout June 2023, a total of four events were prohibited in Izmir. LGBTI+ Pride March and Pride Week events were also prohibited by administrative authorities in METU, Adana, Antalya, Eskişehir, Kocaeli, Aydın, and Datça. There were attempts at homophobic attacks on two events organized by bar associations in Izmir and Istanbul. Four concerts to be given by three musicians in three cities were canceled due to the homophobic and sexist reactions they faced following their statements<sup>106</sup>. The "Tea&Talk" event, organized by Lambdaistanbul in Istanbul for 10 years, was prohibited by the Kadıköy District Governorship. The administrative court of first instance accepted the annulment

<sup>103</sup> "İzmir Onur Yürüyüşü yasağı bir sene sonra iptal edildi" [Izmir Pride March prohibition annulled one year later], *KaosGL*, 21 July 2023, <https://web.archive.org/web/20250419075530/https://kaosgl.org/haber/izmir-onur-yuruyusu-yasagi-bir-yil-sonra-iptal-edildi>.

<sup>104</sup> "Eskişehir Onur Yürüyüşü yasağına karşı açılan dava reddedildi" [Lawsuit filed against Eskişehir Pride March prohibition rejected], *Bianet*, 3 January 2023, <https://bianet.org/haber/eskisehir-onur-yuruyusu-yasagina-karsi-acilan-dava-reddedildi-272314>.

<sup>105</sup> For the 2022 Mersin Pride Week, see the decision of the Mersin 2nd Administrative Court, File No. 2022/1162, Decision No. 2022/1841. For the 2022 METU Pride March, see the decision of the Ankara 8th Administrative Court, File No. 2022/1291, Decision No. 2023/186.

<sup>106</sup> Human Rights Foundation of Turkey, *Bilgi Notu: 2023 Onur Ayı Etkinliklerine Yönelik Hak İhlalleri* [Information Note: Human Rights Violations Regarding 2023 Pride Month Events], <https://tihv.org.tr/ozel-raporlar-ve-degerlendirmeler/bilgi-notu-2023-onur-ayi-ihlaller/>.

lawsuit filed against the decision—just as in all lawsuits filed against the Kadıköy District Governorship. In its justification, the court stated:

*“It has been expressed that the event subject to the lawsuit is a meeting activity to be held in the form of a conversation in an enclosed area, and the plaintiff side has stated that the event has been carried out without problems every month for ten years. It is understood that no clear, concrete, and imminent danger was demonstrated indicating that public health, public morality, or the protection of the rights and freedoms of others might be jeopardized, or that reactions might be shown by certain opposing groups and segments due to some social sensitivities towards the group and individuals who will attend the organization, and that this might cause provocations; consequently, it has been concluded that the action subject to the lawsuit is not in compliance with the law.”<sup>107</sup>*

The ‘Queers in the Earthquake’ event, also organized by SPoD, was prohibited by the Şişli District Governorship. The prohibition decision was made so hastily that the 2021 prohibition decision was copied word-for-word<sup>108</sup>. In Izmir, however, in the annulment lawsuit filed by the Genç LGBTI+ Association against a prohibition decision, the Court stated that:

*“The ‘Pride March,’ which is seen to be aimed at raising sensitivity and awareness in society against the hatred, discrimination, and violence faced by a segment of society differentiated by gender identity and sexual orientation, is an exercise of a fundamental right and freedom that must be protected in a democratic society because it will contribute to pluralism and peaceful coexistence.”<sup>109</sup>*

In 2023, the Istanbul LGBTI+ Pride Week made a call on social media for the march to take place in Taksim Square. Before the march, Istanbul Governor Davut Gül announced that “no event that threatens the institution of the family will be permitted”<sup>110</sup>. This statement, when evaluated alongside the government’s family and population policy documents published in 2024 and the declaration of 2025 as the ‘Year of the Family,’ attested that the

<sup>107</sup> Decision of the Istanbul 2nd Administrative Court, dated 28 June 2024. File No. 2023/2038, Decision No. 2024/1042.

<sup>108</sup> SPoD (@spodlgbti), 28 June 2024, <https://x.com/spodlgbti/status/1806684442641011035?lang=tr>.

<sup>109</sup> See the decision of the Izmir 6th Administrative Court, dated 29.02.2024, File No. 2023/1381, Decision No. 2024/305. ‘Hukuki Mücadeleyi Kazandık: İzmir Valiliğinin 11. İzmir Onur Yürüyüşü Yasaklama Kararı İptal Edildi!’ [We Won the Legal Struggle: Izmir Governorship’s Prohibition Decision for the 11th Izmir Pride March Annulled!], Genç LGBTI+ Association, 28 June 2024, <https://genclgbti.org/2024/06/28/hukuki-mucadeleyi-kazandik-izmir-valiliginin-11-izmir-onur-yuruyusu-yasaklama-karari-iptal-edildi/>.

<sup>110</sup> Davut Gül (@gul\_davut), 26 June 2023, [https://twitter.com/gul\\_davut/status/1673077070258118656](https://twitter.com/gul_davut/status/1673077070258118656).

prohibition of LGBTI+ events was not carried out for the claimed reasons in the decisions, but in line with the government's family and population policies. Despite the call to Taksim Square, LGBTI+ individuals also gathered in Nişantaşı. As a result, even though Taksim Square and its vicinity were completely blockaded, LGBTI+ individuals were able to march on the Nişantaşı streets, a giant LGBTI+ flag was hung from the Nişantaşı multi-story car park, and a press statement was read.

The year 2024 was one where prohibitions against LGBTI+ Pride Marches continued, yet were successfully circumvented. Despite all the prohibitions, LGBTI+ individuals in Izmir managed to break the bans by marching a day early. In Ankara, LGBTI+ individuals filled the streets by starting to march from multiple locations simultaneously<sup>111</sup>. Throughout 2024, a total of 14 LGBTI+ Pride Month events were held at universities. At METU, a march and press statement took place for the first time in years without any police intervention before it began. In many campuses, LGBTI+ individuals were either forced to change the location and time of events or managed to circumvent the prohibitions by gathering before the planned announcements<sup>112</sup>. Although the number of people taken into custody this year was lower compared to 2022 and 2023, the impact of past years' repression played a significant role in the decrease in the number of protestors on the streets. On the morning of the Istanbul LGBTI+ Pride March, the Istanbul Governorship closed various roads in Beyoğlu, citing the reason that "various illegal groups had called, through social media platforms, for an unauthorized protest march and press statement to be held in the Taksim-Istiklal Avenue area on Sunday, 30.06.2024."<sup>113</sup> However, at this time, contrary to the announcement on social media, LGBTI+ activists gathered on Bağdat Avenue, one of Istanbul's busiest shopping streets and an unusual protest venue, and succeeded in reading a press statement and marching. Emphasizing the resilience of the LGBTI+ movement in the face of prohibitions, the press statement was as follows: "Today is June 30, 2024. Today, too, we march, my dear. Happy 22nd anniversary to us. Today you blockaded all of Istanbul. You closed all the roads and squares. You halted life in the entire city. But you forgot one thing: if necessary, we will drill through stone, bend time, and still find each other in our smiles." After chanting slogans on Bağdat Avenue for about 10 minutes, the LGBTI+ individuals quickly read the press statement and dispersed

<sup>111</sup> "3. Ankara Onur Yürüyüşü birden fazla kez, birden fazla yerde!" [3rd Ankara Pride March multiple times, in multiple places!], *ÜniKuir*, 12 June 2024, <https://www.unikuir.org/haberler/3-ankara-onur-yuruyusu-birden-fazla-kez-birden-fazla-yerde-12-06-2024>.

<sup>112</sup> *ÜniKuir*, *Kampüslerde Onur Ayı 2024 Yılı Raporu [Pride Month in Campuses 2024 Report]* (February 2025), <https://www.unikuir.org/haberler/kampuslerde-onur-ayi-2024-raporu-yayinda-34-lubunyalari-var-buradayiz-34-29-05-2025>.

<sup>113</sup> Istanbul Governorship, Press Release (2024/47), 30 June 2024, <http://www.istanbul.gov.tr/basin-aciklamasi-202447>.

into the side streets, ending the gathering<sup>114</sup>. During Pride Month in 2024, the Beyoğlu District Governorship prohibited the “Dön-Dün-Bak” exhibition organized as part of the Trans Pride Week<sup>115</sup>. These prohibitions covered not only the LGBTI+ Pride Month events between May and July but also all kinds of events for the rest of the year. For example, even a planned Earth Table (*Yeryüzü Sofrası*) event in Bayram Street, where trans sex workers primarily live and where houses were unlawfully sealed by the Beyoğlu District Governorship, was met with police intervention, and 9 people were taken into custody<sup>116</sup>. In Ankara, KuirFest, organized by Pembe Hayat, was prohibited on the day the events were scheduled to begin<sup>117</sup>. The organizers of the Istanbul LGBTI+ Pride March, which has been held in Nişantaşı and Bağdat Avenue for the last two years, are thus attempting to prevent the recurrence of the record number of detentions seen in 2022. Although Taksim is a very important place of memory for the LGBTI+ movement, the hope and contribution to visibility that the ability of LGBTI+ individuals to march in some way provides to the LGBTI+ community is much greater.

The year 2025, also influenced by the declaration of “Year of the Family” by the Presidency, saw a further increase in the prohibition practices that have been escalating since 2022. First, as June began, a press statement that the Human Rights Association Istanbul Branch LGBTI+ Commission intended to hold on June 3rd in Şişhane Square, Beyoğlu, as part of Pride Month, was prohibited by the Beyoğlu District Governorship<sup>118</sup>. For the 11th Istanbul Trans Pride March planned for June 22nd, the Istanbul Governorship issued a press statement on June 21st, prohibiting all events in Beyoğlu, including Taksim Square, Gezi Park, Siraselviler Avenue, and İstiklal Avenue, for 24 hours on 22.06.2025, citing the reason that “calls for gathering were made through some social media accounts”<sup>119</sup>. On the same day, the Şişli District Governorship also prohibited all types of events, citing that

<sup>114</sup> “LGBTİ+’lar Bağdat Caddesi’nde yürüdü, polis eyleme son anda ‘yetiştii’” [LGBTI+ individuals marched on Bağdat Avenue, police ‘caught up’ with the action at the last minute], *Bianet*, 30 June 2024, <https://bianet.org/haber/lgbti-lar-bagdat-caddesinde-yurudu-polis-eyleme-son-anda-yetisti-296976>.

<sup>115</sup> “Dön-Dün Bak: Türkiye’de Trans Hareketinin Tarihi” [Look Back at Yesterday: The History of the Trans Movement in Turkey], *Memorialization in Turkey*, <https://memorializeturkey.com/tr/memorial/don-dun-bak>.

<sup>116</sup> “Bayram Sokak bizimdir, Bayram Sokak translarındır” [Bayram Street is ours, Bayram Street belongs to trans people], *Kaos GL*, 2 April 2024, <https://web.archive.org/web/20250519013739/https://kaosgl.org/haber/bayram-sokak-bizimidir-bayram-sokak-translarindir>.

<sup>117</sup> “Ankara Valiliği’nden OHAL’e dönüş: Kuirfest yasaklandı!” [Return to State of Emergency from Ankara Governorship: Kuirfest prohibited!], *Kaos GL*, 23 February 2024, <https://web.archive.org/web/20250623093224/https://kaosgl.org/haber/ankara-valiligi-nden-ohal-e-donus-kuirfest-yasaklandi>.

<sup>118</sup> Human Rights Association Istanbul Branch (@ihdistanbul), 3 June 2025, <https://x.com/ihdistanbul/status/1929853897792790654>; Beyoğlu District Governorship, Press Release, 2 June 2025, <http://beyoglu.gov.tr/basin-aciklamasi-02062025>.

<sup>119</sup> Istanbul Governorship, Press Release (2025-44), 21 June 2025, <http://www.istanbul.gov.tr/basin-aciklamasi-2025-44>.

“some groups have made calls on social media platforms to organize various protests and events within our district borders”<sup>120</sup>. Neither one of the prohibition decisions directly prohibited the Trans Pride March; instead, they referred to ‘some groups and some events’ with a legally vague explanation. However, the Trans Pride Week Committee had not made any public announcement stating that a march would be organized in either Şişli or Beyoğlu. At this point, it can be said that the relevant district governorships and police departments issued the prohibition decisions based on ‘open source research’ and ‘intelligence information.’

Less than a week after the 11th Trans Pride March, an outdoor meeting on LGBTI+ Pride Month, which the Workers’ Party of Turkey (TİP) intended to hold in Kadıköy Yoğurtçu Park on 27 June, was prohibited by the Kadıköy District Governorship. This prohibition decision was not published on the District Governorship’s website. However, the prohibition of an event concerning LGBTI+ rights planned by a political party, operating under the Political Parties Law and exercising its right to democratic politics with guarantees protected by the Constitution, is contrary to the principle that political parties are indispensable elements of democratic political life. A political party must be able to freely and openly organize events related to LGBTI+ rights, which are included in its party program and charter.

For the 23rd Istanbul LGBTI+ Pride March planned for 29 June, SPoD and the Pride Week Committee—just as they did in 2019—submitted an application to the Istanbul Governorship on 16 June for the Yenikapı Rally Area, in compliance with the Regulation on the Implementation of Law No. 2911. The Governorship responded to the relevant application after working hours on Friday, 27 June, deciding that the application was “not deemed appropriate.” An effective remedy against a response given on a Friday after working hours is not regulated within Turkish administrative law legislation. The Governorship used the lack of mechanisms, such as duty administrative courts or urgent judicial procedures protecting the right to peaceful assembly and demonstration, against the applications. This situation once again demonstrated that Law No. 2911, the related regulation, and the administrative judiciary provide no guarantees for the effective use of the right to peaceful assembly and demonstration. SPoD filed a lawsuit on Saturday, 28 June, demanding a suspension of execution<sup>121</sup>. Even if the unlawfulness of the prohibition decision were to be determined in this lawsuit, it would not have been possible to achieve

<sup>120</sup> Şişli District Governorship, Press Release on the Prohibition of All Kinds of Meetings, Marches, Demonstrations, Press Statements, and Protest Actions on 22.06.2025, 21 June 2025, <http://www.sisli.gov.tr/22-haziran-2025-tarihinde-her-turlu-toplantı-yuruyus-gosteri-basin-aciklamasi-ve-protesto-eylemlerinin-yasaklanması-ile-ilgi-basin-aciklamasi>.

<sup>121</sup> Decision of the Istanbul 12th Administrative Court, File No. 2025/1247.

any practical gain for the organization of the march. The Kadıköy District Governorship also prohibited every kind of event that could be organized in the district's borders on 28-29 June in the name of LGBTI+ Pride Month, one day before the march<sup>122</sup>. The Beyoğlu District Governorship, using the same justification as the Istanbul Governorship's prohibition decision for the Trans Pride March the previous week, again characterizing it as "calls made on some social media accounts," issued its decision this time for the 23rd Istanbul Pride March<sup>123</sup>. According to the announcement by the Istanbul Bar Association, annulment lawsuits demanding a suspension of execution were filed against the Istanbul Governorship and Beyoğlu District Governorship over a two-week period for the 11th Trans Pride March and the 23rd Istanbul LGBTI+ Pride March<sup>124</sup>.

The table below shows the prohibition decisions against LGBTI+ events that were annulled by the courts in the years mentioned. It is seen that the prohibition decisions were annulled by the courts within an average of **1 year and 2 months**. This data itself clearly demonstrates how ineffective the administrative judiciary is as a recourse for freedom of assembly.

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<sup>122</sup> Kadıköy District Governorship, Press Release 2025/3, 27 June 2025, <http://www.kadikoy.gov.tr/basin-aciklamasi270625>.

<sup>123</sup> Beyoğlu District Governorship, Press Release, 28 June 2025, <http://beyoglu.gov.tr/basin-aciklamasi---28062025>.

<sup>124</sup> Istanbul Bar Association Human Rights Center (@istbaroihm), 30 June 2025, <https://x.com/istbaroihm/status/1939746336653664465>.

<b>Prohibition Decision</b>	<b>Court that Annulled the Decision</b>	<b>File and Decision Number</b>	<b>Decision Date</b>	<b>Geçen süre</b>
2017 Ankara indefinite state of emergency prohibition	Ankara Regional Administrative Court 12th Administrative Appeals Chamber	File No. 2019/93 & Decision No. 2019/306	21 February 2019	1 year 4 months
2019 Izmir Pride Week	Izmir Regional Administrative Court 6th Administrative Appeals Chamber	File No. 2020/845 & Decision No. 2020/1916	24 December 2020	1 year 7 months
2019 Mersin Pride Week	Adana Regional Administrative Court 3rd Administrative Appeals Chamber	File No. 2020/908 & Decision No. 2022/130	27 January 2022	2 years 1 month
2019 Bakırköy Pride March	Istanbul Regional Administrative Court 10th Administrative Appeals Chamber	File No. 2020/910 & Decision No. 2020/1502	7 October 2020	1 year 4 months
2019 Kadıköy Queer Olympix	Istanbul 5th Administrative Court	File No. 2019/1976 & Decision No. 2020/483	13 March 2020	7 months
2021 Maçka Picnic	Istanbul Regional Administrative Court 10th Administrative Appeals Chamber	File No. 2022/2150 & Decision No. 2023/1905	29 November 2023	2 years 5 months
2022 Mersin Pride Week	Mersin 2nd Administrative Court	File No. 2022/1162 & Decision No. 2022/1841	26 December 2022	6 months
2022 METU Pride March	Ankara 8th Administrative Court	File No. 2022/1291 & Decision No. 2023/186	30 January 2023	7 months
2022 Izmir Pride March	Izmir Regional Administrative Court 6th Administrative Appeals Chamber	File No. 2023/693 & Decision No. 2023/1455	13 June 2023	1 year
2023 Izmir Pride March	Izmir 6th Administrative Court	File No. 2023/1381 & Decision No. 2024/305	29 February 2024	8 months
2023 METU Pride March	Ankara 14th Administrative Court	File No. 2023/1045 & Decision No. 2024/77	17 January 2024	7 months
2023 Lambdaistanbul tea event	Istanbul 2nd Administrative Court	File No. 2023/2038 & Decision No. 2024/1041	28 June 2024	1 year

As of the date of writing of this report, no decisions have been made regarding the individual applications made to the Constitutional Court concerning the 2018 Pembe Hayat Kuirfest prohibition decision, the 2022 Istanbul Pride Week Beyoğlu and Kadıköy prohibitions, and the 2023 Eskişehir Pride March prohibition decision, as well as the two applications made to the ECtHR by KaosGL regarding the 2016 and 2017 prohibitions.

### **Criminal Investigations, Custody, and Prosecutions**

In the Istanbul LGBTI+ Pride March, which was prohibited for the first time in 2015, a large number of people, exact number of which is unknown, were subjected to police violence involving plastic bullets and TOMAs (water cannon vehicles) throughout the day. Despite this, three separate mass marches were held, and the gathered crowd continued to protest in the back streets of Beyoğlu for a long time. The crowd resisted the police attack on Istiklal Avenue and its vicinity for approximately six hours before dispersing after a public statement in Tünel. The police also attacked the Pride Week closing party held in the evening. As far as is known, one person was taken into custody throughout the day. Bianet editor Çiçek Tahaoğlu and journalist Yıldız Tar from KaosGL were briefly taken into custody and released after the arrival of their lawyers<sup>125</sup>.

Before the 2016 Istanbul Trans Pride March, Lambdaistanbul and the Istanbul LGBTI+ Pride Week filed a criminal complaint against the threatening and hateful statement made by the Alperen Hearths (*Alperen Ocakları*). Kürşat Mican, the Istanbul Provincial Head of the Alperen Hearths at the time, who sought to organize provocative actions against the LGBTI+ Pride Marches for years, was prosecuted after the criminal complaints by the Istanbul Anatolian 44th Criminal Court of First Instance, facing a prison sentence of up to 6 years for the crime of “inciting the public to hatred and hostility and publicly degrading a segment of the public based on social class, religion, sect, gender, or regional difference.” Mican was sentenced for the crime of publicly degrading a segment of the public based on gender difference to a judicial fine of 4,000 TL, citing ‘good conduct’<sup>126</sup>. According to the observation report prepared by SPoD, KaosGL, Pembe Hayat, and LISTAG, on the day of the Istanbul Trans Pride March that year, while police and opposing hate groups went on an ‘LGBTI+ hunt’ in Taksim, police attacked a crowd of 50 people holding a press statement in front of Lambdaistanbul. Throughout the day, 11 people who wanted to join the march were taken into custody. The lawsuit filed against the detained individuals on the charge of “violating Law No. 2911 on Meetings and Demonstration Marches” resulted in an acquittal in 2017. Police also occasionally prevented the opposing group from marching and took counter-protesters into custody<sup>127</sup>. The Istanbul LGBTI+ Pride March was held one week later, with the theme “We Are Dispersing!” (“Dağılıyorz!”), and as permission was not granted even for a press statement, multiple statements were read simultaneously across

<sup>125</sup> <https://web.archive.org/web/20250524104559/https://kaosgl.org/haber/onur-yuruyusursquonde-saat-saat-neldu>.

<sup>126</sup> Mican was also among the organizers of the “Great Family Gathering” which started in 2022.

<sup>127</sup> Kaos GL, LİSTAG, Pembe Hayat, SPoD, *19 Haziran 2016 Trans Onur Yürüyüşü İnsan Hakları Gözlem Raporu (19 June 2016 Trans Pride March Human Rights Observation Report)*, <https://kaosglderneği.org/images/library/2016tran-sonuryuruyusugozlemraporu.pdf>.

Istanbul. Rainbow paints were poured onto the ground on Istiklal Avenue, and rainbow flags were hung from buildings, reminding everyone that LGBTI+ people would continue the struggle everywhere<sup>128</sup>. This model of movement, which started in 2016, has been used very frequently over the years.

The Istanbul Trans Pride March, which began in 2010, was held for the last time in 2017, before being re-organized in 2023. Following an unlawful police intervention, the press statement was held in Pangaltı. A total of 7 activists who marched towards Harbiye after the press statement were taken into custody. The Istanbul LGBTI+ Pride March was also prohibited again. This time, the stated reasons were that “Taksim [was] not among the designated areas for meetings and demonstration marches, a proper application was not made, and very serious reactions were shown by different segments of society against the Pride Marches.” Throughout the day, 29 people, including lawyers and journalists, were taken into custody. The criminal case filed against 24 of these individuals on the charge of “violating Law No. 2911” resulted in an acquittal in 2019. In contrast, only identity checks were performed on the 27 people who gathered to protest the march<sup>129</sup>.

For the 2018 Istanbul LGBTI+ Pride March, the committee waited specifically for the end of Ramadan, which was one of the justifications for the 2015 prohibition, citing ‘sensitivities during the month of Ramadan,’ and called for a gathering in Taksim on 1 July. With this move, the committee essentially refuted one of the reasons put forward by the Governorship, showing quick wit in the face of an unlawful prohibition. Despite this, the crowd that gathered in Taksim on the same day could only make a press statement on Mis Street, and 11 people were taken into custody<sup>130</sup>. As a result of the criminal case filed, 4 people were acquitted, one person received a sentence of 5 months for allegedly resisting a public officer, and another person received a sentence of 2 months and 15 days for endangering traffic safety.

The year 2019 witnessed the same violations for the LGBTI+ movement, which spent the first half of 2018 under the state of emergency and the remainder under a *de facto* state of emergency that had become the new normal. Participants in the 9th METU Pride March

<sup>128</sup> Istanbul Pride, “14. İstanbul LGBTİ+ Onur Yürüyüşü #DAĞILIYORUZ” [14th İstanbul LGBTI+ Pride March #WEAREDISPERSING], <https://www.youtube.com/watch?v=kop2AMGtqgM>.

<sup>129</sup> “Yürüyüşe Tepkinin Nedeni ‘Nefret, Kudurun Ayol!’ [The Reason for the Reaction to the March is ‘Hate,’ Go Mad!], *Bianet*, 25 June 2017, <https://bianet.org/haber/yuruyuse-tepkinin-nedeni-nefret-kudurun-ayol-187758>.

<sup>130</sup> Yasağa rağmen LGBTİ+ bireyler Onur Yürüyüşü için İstanbul’da bir araya geldi: ‘5 gözaltı’ [Despite the prohibition, LGBTI+ individuals gathered in İstanbul for the Pride March: ‘5 taken into custody’], *BBC News Turkish*, 1 July 2018, <https://www.bbc.com/turkce/haberler-turkiye-44675781>.

were taken into custody<sup>131</sup>, and in Istanbul, the press statement for the Pride March could again only be read in Mis Street under a police blockade.

In April 2018, following the annulment of the indefinite event prohibitions in Ankara by a court decision, the METU LGBTI+ Solidarity announced that they would hold the 9th METU Pride March on 10 May<sup>132</sup>. On the day of the march, as a result of the rectorate calling the police onto the campus, 18 students and 1 academic were taken into custody. The criminal case filed against the 19 people taken into custody on the charge of “violating Law No. 2911” resulted in an acquittal three years later<sup>133</sup>. During the trial process, many national and international institutions published messages of solidarity, Amnesty International issued an urgent call<sup>134</sup>, and UN Special Rapporteurs sent a letter to the Turkish government<sup>135</sup>.

On the day of the 2019 Izmir Pride March, 19 people from the crowd gathered in Alsancak were taken into custody<sup>136</sup>. The criminal case filed on the charge of “violating Law No. 2911” resulted in the acquittal of everyone in 2021<sup>137</sup>. In 2019, the crowd gathered for the Istanbul LGBTI+ Pride March in Beyoğlu managed to hold a press statement under police violence, and 5 people were taken into custody during the day. Meanwhile, Istiklal Avenue and the surrounding area of Taksim were completely blockaded, and ‘individuals suspected of being LGBTI+’ were not allowed onto the avenue<sup>138</sup>.

<sup>131</sup> “Polis, ODTÜ’deki 9. Onur Yürüyüşü’ne Saldırdı: En Az 17 Öğrenci Gözaltında” [Police Attack 9th Pride March at METU: At Least 17 Students Taken into Custody], *Bianet*, 10 May 2019, <https://bianet.org/haber/polis-odtu-deki-9-onur-yuruyusu-ne-saldirdi-en-az-17-ogrenci-gozaltinda-208379>.

<sup>132</sup> The Court, in the lawsuit filed against the decision of the METU Rectorate, which acted unlawfully despite the lifting of the indefinite prohibition in Ankara, annulled the rectorate’s decision a year later. “Mahkeme 9. ODTÜ Onur Yürüyüşü yasağını iptal etti” [Court annuls 9th METU Pride March prohibition], *Kaos GL*, 30 July 2020, <https://web.archive.org/web/20250718202434/https://kaosgl.org/haber/mahkeme-9-odtu-onur-yuruyusu-yasagini-iptal-etti>.

<sup>133</sup> “ODTÜ Onur Yürüyüşü davasında karar çıktı” [Decision reached in the METU Pride March case], *MLSA*, 8 October 2021, <https://www.mlsaturkey.com/tr/odtu-onur-yuruyusu-davasinda-karar-cikti>.

<sup>134</sup> Amnesty International, “Turkey: Drop charges against students and academic,” (EUR 44/1322/2019), 20 October 2019, <https://www.amnesty.org/en/documents/EUR44/1322/2019/en/>.

<sup>135</sup> “Hükümet’ten ODTÜ Onur Yürüyüşü yanıtı: ‘Rektörlük yasakladı, ayrımcı değiliz” [Government’s response to the METU Pride March: ‘The Rectorate prohibited it, we are not discriminatory’], *Kaos GL*, 16 April 2020, <https://web.archive.org/web/20250619004205/https://kaosgl.org/haber/hukümet-ten-odtu-onur-yuruyusu-yaniti-rektorluk-yasakladi-ayrimci-degiliz>.

<sup>136</sup> “7. LGBTİ+ Onur Yürüyüşü’ne polis saldırdı” [Police attacked 7th LGBTI+ Pride March], *Kaos GL*, 22 June 2019, <https://web.archive.org/web/20250811213716/https://kaosgl.org/haber/7-lgbti-onur-yuruyusune-polis-saldirdi>.

<sup>137</sup> “2019 İzmir Onur Yürüyüşü davasında herkes beraat etti” [Everyone acquitted in the 2019 Izmir Pride March case], *Kaos GL*, 12 January 2021, <https://web.archive.org/web/20250419153620/https://kaosgl.org/haber/2019-izmir-onur-yuruyusu-davasinda-herkes-beraat-etti>.

<sup>138</sup> “Video-Haber: Onur Yürüyüşü Açıklaması Sonrası Polis Saldırısı” [Video-News: Police Attack After the Pride March Statement], *Bianet*, 30 June 2019, <https://bianet.org/haber/video-haber-onur-yuruyusu-aciklamasi-sonrasi-polis-saldirisi-209919>.

Due to the pandemic in 2020, no physical march was organized. In 2021, even before the announced time for the Istanbul LGBTI+ Pride March, police intervened against the crowd waiting in cafés and bars on Mis Street. A total of 41 people, including 2 children, were taken into custody from various streets in Beyoğlu throughout the day, with 19 people taken from the same spot. It is not accidental that this Pride March, which involved the greatest number of people taken into custody and lasted the longest since 2015, coincided with the surge of anti-LGBTI+ politics following 2020. A total of 6 different lawsuits were filed against the individuals taken into custody this year. Just like in previous years, all cases resulted in acquittal<sup>139</sup>. The intimidation created by such a high number of custodies and lawsuits reinforced the aforementioned deterrent effect for those who wished to exercise the right to peaceful assembly and demonstration in subsequent years.

The year 2022 recorded the highest number of prohibitions and custodies regarding LGBTI+ events. At least 10 different prohibition decisions were issued in at least 7 provinces, and a record number of people (582) were taken into custody for trying to participate in LGBTI+ marches and events between May and July<sup>140</sup>. In Istanbul, LGBTI+ activists who gathered in Yeldeğirmeni, Kadıköy, to welcome the arrival of Pride Week were taken into custody on the street. An indictment was prepared by the prosecutor's office two years later against the detained activists on the charge of "violating Law No. 2911"<sup>141</sup>. In the trial before the Istanbul Anatolian 90th Criminal Court of First Instance on 7 July 2025, a verdict of acquittal was issued for 11 people despite the prosecution's demand for punishment, on the grounds that "the act imputed to them is not defined as a crime in the law." A separation of proceedings decision was issued for one person whose statement could not be taken as they were abroad. The most massive attack since the Gezi Resistance occurred during the attempted Istanbul LGBTI+ Pride March in Beyoğlu, where 373 people, including 39 children, were taken into custody. During the statement-taking process, which lasted until the next day, those in custody faced ill-treatment and torture. The investigation against the 373 people taken into custody resulted in a decision

<sup>139</sup> "2021 İstanbul LGBTİ+ Onur Yürüyüşü davalarında beraatler kesinleşti" [Acquittals finalized in 2021 İstanbul LGBTI+ Pride March cases], *Kaos GL*, 15 June 2023, <https://web.archive.org/web/20250426054606/https://kaosgl.org/haber/2021-istanbul-lgbti-onur-yuruyusu-davalarinda-beraatler-kesinlesti>.

<sup>140</sup> "Onur Yürüyüşleri bilançosu artıyor: 582 gözaltı, sokakta işkence, bitmeyen isyan!" [Pride Marches toll is rising: 582 taken into custody, torture on the street, never-ending rebellion!], *Kaos GL*, 8 July 2022, <https://web.archive.org/web/20250425082047/https://kaosgl.org/haber/onur-yuruyusleri-bilancosu-artiyor-582-gozalti-sokakta-iskence-bitmeyen-isyan>.

<sup>141</sup> "Polisin işkence ile gözaltına aldığı LGBTİ+'lar: Başımıza bir şey gelirse sorumlusu sizsiniz" [LGBTI+ individuals taken into custody with torture by the police: If anything happens to us, you are responsible], *Bianet*, 20 March 2024, <https://bianet.org/haber/polisin-iskence-ile-gozaltina-aldigi-lgbti-lar-basimiza-bir-sey-gelirse-sorumlusu-sizsiniz-293247>.

of non-prosecution due to “insufficient evidence”<sup>142</sup>. On the other hand, in another first, the LGBTI+ rainbow flags at the Eskişehir Pride March were considered “flags of an illegal organization” by the public prosecutor’s office. Although the criminal case filed with an indictment referencing Article 33 of Law No. 2911 resulted in an acquittal, this legal assessment is particularly worrisome as it is an extension of those who intend to portray LGBTI+ individuals as a ‘social terrorist organization’ for political reasons<sup>143</sup>. Despite the acquittals, the Eskişehir Prosecutor’s Office continued to issue indictments referencing Article 33 in subsequent years. During the 9th Boğaziçi Pride March held by Boğaziçi University students in May 2022, who were targeted during the Boğaziçi Resistance and had their campus events restricted following the closure of the BÜLGBTİ+ Student Club, 69 students and 1 faculty member were taken into custody in violation of Law No. 2911, despite the march having ended, as a result of the Rectorate calling the police onto the campus<sup>144</sup>. While an attempted lynching was carried out against the participants of the LGBTI+ Pride March in Ankara, 42 people were taken into custody. Gaziantep Pride Week was threatened with hate speech over Twitter by the then-governor. Students at METU and Istanbul University were taken into custody on their campuses<sup>145</sup>. A lawsuit was filed against the students taken into custody at METU, three years after the 2022 custodies<sup>146</sup>.

In 2023, as mentioned above, police teams flooded the streets of Nişantaşı near the end of the Istanbul Pride March held there, taking 93 people into custody despite the march having already ended<sup>147</sup>. Although legal action could only be taken against individuals participating in an unlawful assembly and insisting on not dispersing despite lawful calls, pursuant to the first paragraph of Article 32 of Law No. 2911, people who had already dispersed were taken into custody through a virtual ‘manhunt’ on the side streets. In this regard, the custody procedure itself was unlawful, and the prohibition decision was

<sup>142</sup> “2022 İstanbul Onur Yürüyüşü’nde gözaltına alınanlara dava açılmadı” [No lawsuit filed against those taken into custody in the 2022 Istanbul Pride March], *Kaos GL*, 10 May 2023, <https://web.archive.org/web/20250521212658/https://kaosgl.org/haber/2022-istanbul-onur-yuruyusu-nde-gozaltina-alinanlara-dava-acilmedi>.

<sup>143</sup> “Eskişehir’in ilk Onur Yürüyüşüne beraat” [Acquittal for Eskişehir’s first Pride March], *ÜniKuir*, 26 April 2022, <https://www.unikuir.org/haberler/eskisehir-in-ilk-onur-yuruyusune-beraat-26-04-2022>.

<sup>144</sup> Umut Rojda Yıldırım, “Boğaziçi Direnişi: Mevzu Lubunya’ya!” [Boğaziçi Resistance: The Issue is Queers!] (Heinrich Böll Stiftung), 23 June 2022, <https://tr.boell.org/tr/2022/06/23/bogazici-direnisi-mevzu-lubunyaya>.

<sup>145</sup> “Devlet LGBTİ+’lara savaş açtı: 37 günde 10 yasak, en az 530 gözaltı!” [The state declared war on LGBTI+ individuals: 10 prohibitions, at least 530 taken into custody in 37 days!], *Kaos GL*, 27 June 2022, <https://web.archive.org/web/20250218185205/https://kaosgl.org/haber/devlet-lgbti-lara-savas-acti-37-gunde-10-yasak-en-az-530-gozalti>.

<sup>146</sup> “2022 ODTÜ Onur Yürüyüşü’ne 3 Yıl Aradan Sonra Dava Açıldı: ‘Suçları ‘Dağılmamak’” [Lawsuit Filed Against 2022 METU Pride March 3 Years Later: ‘Their Crime is ‘Not Dispersing’], *ÜniKuir*, 15 May 2025, <https://www.unikuir.org/haberler/2022-odtu-onur-yuruyusu-ne-3-yil-aradan-sonra-dava-acildi-suclari-dagilmamak-15-05-2025>.

<sup>147</sup> “21. İstanbul Onur Yürüyüşü – YAŞANDI» [21st Istanbul Pride March – IT HAPPENED], *ÜniKuir*, 25 June 2023, <https://www.unikuir.org/haberler/21-istanbul-onur-yuruyusu-yasandi-25-06-2023>.

not procedurally sound. A decision of non-prosecution was later issued for 46 of the individuals taken into custody<sup>148</sup>. No criminal lawsuit was filed against the remaining 47 people. Similarly, a decision of non-prosecution was issued for the 9 people taken into custody during the Istanbul Trans Pride March<sup>149</sup>. In 2023, 5 foreign nationals taken into custody during the Istanbul Pride March were transported to removal centres. During the Ankara Pride March, after anti-LGBTI+ Islamist groups and the police, attacked the gathered crowd, 42 people were taken into custody amidst ill-treatment and torture. The lawsuit filed against them resulted in an acquittal in 2024<sup>150</sup>. In Izmir, police attacked a total of 4 events, press statements, and marches across the city during Pride Month. 60 people, including 1 child, were taken into custody. Three actions involving hate speech and threats were organized. Following the Pride March, 29 people applied to the Human Rights Foundation of Turkey (HRFT) for assault reports and requested support. 27 applicants were battered during custody, and 2 were battered during the march without being taken into custody<sup>151</sup>.

The 2024 Istanbul Pride March was held on Bağdat Avenue this time. Despite the march having ended, an indictment was prepared against 8 people taken into custody on the charge of “failure to disperse.” In the hearing held at the Istanbul Anatolian 78th Criminal Court of First Instance on 10 July 2025, a verdict of acquittal was issued for all defendants<sup>152</sup>. According to the observation report prepared by SPoD and HRFT in line with Organization for Security and Co-operation in Europe (OSCE) standards, an indictment for the crime of “failure to disperse” should not even have been prepared:

*“Intense law enforcement activity was observed across Kadıköy following the Pride March. Numerous individuals were arbitrarily stopped, subjected to ID checks, and some were taken into custody in handcuffs applied from the back by riot police, unmarked civilian*

<sup>148</sup> “Istanbul Onur Yürüyüşü’nde gözaltına alınanlara takipsizlik” [Non-prosecution for those taken into custody in the Istanbul Pride March], *Kaos GL*, 4 December 2023, <https://web.archive.org/web/20250120044154/https://kaosgl.org/haber/istanbul-onur-yuruyusu-nde-gozaltina-alinanlara-takipsizlik>.

<sup>149</sup> “Trans Onur Yürüyüşü’nde gözaltına alınanlara dava açılmadı” [No lawsuit filed against those taken into custody in the Trans Pride March], *Kaos GL*, 16 November 2023, <https://web.archive.org/web/20250810033709/https://kaosgl.org/haber/trans-onur-yuruyusu-nde-gozaltina-alinanlara-dava-acilmadi>.

<sup>150</sup> “2. Ankara Onur Yürüyüşü davasında beraat kararı!” [Acquittal decision in the 2nd Ankara Pride March case!], *Kaos GL*, 3 July 2024, <https://web.archive.org/web/20250619010603/https://kaosgl.org/haber/2-ankara-onur-yuruyusu-davasinda-beraat-karari>.

<sup>151</sup> Genç LGBTI+ Derneği, 2023 Onur Ayında İzmir’de LGBTI+’ların İfade ve Örgütlenme Özgürlüğü Raporu [Genç LGBTI+ Association, Report on LGBTI+ Freedom of Expression and Association in Izmir during Pride Month 2023], <https://genclgbti.org/wp-content/uploads/2023/07/2023-onur-ayinda-izmirde-lgbtilarin-ifade-ve-orgutlenme-ozgurlugu-raporu-2.pdf>.

<sup>152</sup> “Istanbul Onur Yürüyüşü davası: Yargılanan LGBTI+ aktivistleri beraat etti” [Istanbul Pride March case: Prosecuted LGBTI+ activists acquitted], *Kaos GL*, 10 July 2025, <https://kaosgl1.org/haber/istanbul-onur-yuruyusu-davasi-yargilanana-lgbti-aktivistleri-beraat-etti>

*cars, and motorcycle teams. Observers and journalists were also subjected to background checks (GBT), and the professional status of lawyers was disregarded, resulting in their identification documents being collected unlawfully. While the majority of those taken into custody were taken to the Istanbul Provincial Police Headquarters, children under the age of 18 were also held in custody with their hands cuffed from the back, in violation of the Child Protection Law. Lawyers were informed late, the statement-taking process was delayed, and the 'incident report' was prepared in a discriminatory, misleading, and unsigned manner. In the report, 'virtual patrol' activities were unlawfully legitimized despite the Constitutional Court's annulment decision, Pride Month was defined in a diminishing way as 'so-called,' and an attempt was made to criminalize the march. It was determined that widespread measures were taken in the district to prohibit the march, contrary to the decisions of the European Court of Human Rights, and that contrary statements were included claiming participants were warned to disperse, despite no such warnings being issued.*<sup>153</sup>

In this case, the custodies and criminal investigations/lawsuits violate both the freedom of assembly and demonstration and the prohibition of discrimination.

The Trans Pride Week managed to gain visibility by projecting lights onto the Bosphorus Bridge, but no march could be held due to security reasons. Although no march took place, one person in Kadıköy was taken into custody while walking on the street, and another while sitting in a cafe. A criminal lawsuit was filed against the individuals taken into custody on the charge of violating Law No. 2911. The statement made by Trans Pride before the trial clearly shows that the two individuals were taken into custody unlawfully:

*"We certainly know the reason why one of our friends was forcibly put into a civilian vehicle while walking and the other while drinking coffee. The reason is the anti-trans policies of the Republic of Turkey and the struggles of our friends that you cannot suppress. You are trying to manufacture guilt by accusing our friends, who were taken into custody for hanging a banner, of carrying out an unauthorized demonstration march. You are missing one thing: there was neither a banner nor a march... the only thing that existed was the unwavering struggle of our friends, whose rights were withheld for 8 hours and who were held hostage simply because they are trans and activists, and against whom a lawsuit was subsequently filed. Our struggle is shared, we stand with our friends.*

*We want to remind everyone once again that the police officer who carried out the custody procedure later stated that our friends were taken into custody based on an order*

<sup>153</sup> SPoD and HRFT, 22. *Istanbul Onur Yürüyüşü Gözlem Raporu [22nd Istanbul Pride March Observation Report]*, <https://spod.org.tr/22-istanbul-onur-yuruyusu-gozlem-raporumuz-yayinda/>.

*simply because they were recognized, and we want to draw attention to the despair and shamefulfulness of this situation. We call on all human rights defenders to stand in solidarity against this hatred and unlawfulness.*<sup>154</sup>

At the first hearing of the case held at the Istanbul Anatolian 67th Criminal Court of First Instance on 21 October 2025, the two defendants were acquitted because the act described in the indictment was “hanging a banner”, which “could only constitute a misdemeanor”, and therefore the legal elements of the offense of violating Law No. 2911 were not present.<sup>155</sup>

In the marches held in 2024, a total of 27 people were taken into custody in Istanbul, Eskişehir, Izmir, and Antalya. In the trial where 10 people taken into custody in Eskişehir were prosecuted, 5-month prison sentences were given separately for the crime of “violating Law No. 2911 on Meetings and Demonstration Marches,” marking the first time this has happened in a long while. The sentences given were converted into a judicial fine of 15,000 TL<sup>156</sup>. In all lawsuits filed since 2015 on the charge of “violating Law No. 2911,” LGBTI+ activists were either acquitted or the investigations were closed with a decision of non-prosecution. In the same year, an acquittal was issued at the first hearing of the criminal case filed against 4 people taken into custody in Antalya<sup>157</sup>. However, the preparation of indictments with “organizational flag” charges in the Pride Marches held in Eskişehir since 2022, the failure to annul prohibition decisions on the grounds of “terrorism intelligence,” and finally the sentences given, serve as examples of the violation of the principle of legal certainty and prosecutions contrary to jurisprudence even within Turkey.

The year 2025, declared as the “Year of the Family,” began with draft laws and legal proposals that threaten the existence of LGBTI+ individuals, yet the LGBTI+ movement continues to resist regarding the right to peaceful assembly and demonstration. As of May 2025, marches were held in the scope of the Pride Marches that began, led by LGBTI+

<sup>154</sup> “Trans Onur Yürüyüşü günü gözaltına alınan 2 LGBTİ+ aktivistine açılan davanın ilk duruşması 28 Ocak'ta” [First hearing of the lawsuit filed against 2 LGBTI+ activists taken into custody on the day of the Trans Pride March is on 28 January], *Kaos GL*, 17 January 2025, <https://web.archive.org/web/20250713010750/https://kaosgl.org/haber/trans-onur-yuruyusu-gunu-gozaltina-alinan-2-lgbti-aktivistine-acilan-davanin-ilk-durusmasi-28-ocak-ta>.

<sup>155</sup> “10. Trans Onur Yürüyüşü'nde gözaltına alınan 2 aktivist hakkında beraat kararı!” [Acquittal for two activists detained at the 10th Trans Pride March!], *Kaos GL*, 21 October 2025, <https://kaosgl1.org/haber/10-trans-onur-yuruyusu-nde-gozaltina-alinan-2-aktivist-hakkinda-beraat-karari>.

<sup>156</sup> “Eskişehir Onur Yürüyüşü davası: Mahkeme, yargılanan LGBTİ+ aktivistlerine ceza verdi” [Eskişehir Pride March case: Court sentences prosecuted LGBTI+ activists], *Kaos GL*, 30 April 2025, <https://web.archive.org/web/20250430212913/https://kaosgl.org/haber/eskisehir-onur-yuruyusu-davasi-mahkeme-yargilanan-lgbti-aktivistlerine-ceza-verdi>.

<sup>157</sup> “Antalya Onur Yürüyüşü davasında beraat kararı” [Acquittal decision in the Antalya Pride March case], *Kaos GL*, 10 April 2025, <https://web.archive.org/web/20250427005948/https://kaosgl.org/haber/antalya-onur-yuruyusu-davasinda-beraat-karari>.

students at Bilkent<sup>158</sup>, Hacettepe<sup>159</sup>, and METU<sup>160</sup>, despite police pressure and prohibition decisions. In Izmir<sup>161</sup> and Ankara<sup>162</sup>, marches were successfully held without any custodies or prohibition decisions, despite the police's attempts to intervene.

However, the marches in Istanbul were again the scene of human rights violations. The 2025 Istanbul Trans Pride March and the LGBTI+ Pride March were observed according to OSCE standards by 17 May Association, Truth Justice Memory Center, Human Rights Association Istanbul Branch, Kaos GL, SPoD, HRFT, and Amnesty International. According to the report:

*“The observing organizations determined that both marches were prevented by discriminatory and unlawful prohibition decisions and human rights violations by law enforcement officials, which may amount to torture and other ill-treatment. The study reveals violations of freedom of expression and peaceful assembly and the prohibition of discrimination, as well as the prohibition of torture and other ill-treatment, protected under Articles 3, 10, 11, and 14 of the European Convention on Human Rights (ECHR) and Articles 7, 19, 21, and 26 of the UN International Covenant on Civil and Political Rights (ICCPR). The 24-hour general prohibition decisions taken by the Governorship and District Governorships were neither based on a clear security threat nor did they meet the principle of proportionality. On the day of the march, the central districts of Istanbul—Kadıköy, Şişli, Beyoğlu, and Beşiktaş—were placed under heavy police blockade, and public services such as public transport were disrupted. Many individuals, whose total number was determined to be at least 95 within the scope of the study, were taken into custody merely by citing their presence in public spaces or clothing, symbols, and slogans associated with LGBTI+ individuals. Findings based on field observations and lawyer meetings reveal that a high number of individuals taken into custody were subjected to various practices that may amount to torture and other ill-treatment, including handcuffs applied from the back,*

<sup>158</sup> “Yılın ilk Onur Yürüyüşü Bilkent’te Yaşandı!” [The first Pride March of the year took place in Bilkent!], *ÜniKuir*, 14 May 2025, <https://www.unikuir.org/haberler/yilin-ilk-onur-yuruyusu-bilkent-te-yasandi-14-05-2025>.

<sup>159</sup> “1. Hacettepe Onur Yürüyüşü - ÖGB Müdahalesi Ardından Basın Açıklaması'nı Okudu” [1st Hacettepe Pride March - Read the Press Statement After Security Guard Intervention], *ÜniKuir*, 22 May 2025, <https://www.unikuir.org/haberler/1-hacettepe-onur-yuruyusu-ogb-mudahalesi-ardindan-basin-aciklamasi-39-ni-okudu-22-05-2025>.

<sup>160</sup> “Diren Ayol! - 13. ODTÜ Onur Yürüyüşü - Merdivenlerden Merkez Mühendislik Binası'na” [Resist Honey! - 13th METU Pride March - From the Stairs to the Central Engineering Building], *ÜniKuir*, 27 May 2025, <https://www.unikuir.org/haberler/diren-ayol-13-odtu-onur-yuruyusu-merdivenlerden-merkez-muhendislik-binasi-na-27-05-2025>.

<sup>161</sup> “13. İzmir LGBTI+ Onur Yürüyüşü engellemelere rağmen yapıldı: 2025'i direniş yılı ilan ediyoruz” [13th Izmir LGBTI+ Pride March held despite interventions: We declare 2025 the year of resistance], *Evrensel*, 28 June 2025, <https://sessizkalma.org/tr/haberler/13-izmir-lgbti-onur-yuruyusu-engellemelere-ragmen-yapildi-2025i-direnis-yili-ilan-edyoruz>.

<sup>162</sup> “4. Ankara Onur Yürüyüşü: “Yasa(k)larımızla değil, onurumuzla yazıyoruz tarihi” [4th Ankara Pride March: “We write history with our pride, not with your law(s)/prohibitions”], *Sendika.org*, 22 June 2025, <https://www.sendika.org/2025/06/4-ankara-onur-yuruyusu-yasaklarinizla-degil-onurumuzla-yaziyoruz-tarihi-728184>.

*unlawful physical and verbal violence, and denial of access to basic needs. Furthermore, these findings indicate that some individuals were subjected to body searches constituting sexual violence. Individuals' access to legal aid was prevented from the time of apprehension until the commencement of statement-taking procedures at the police station; three lawyers were taken into custody with physical violence, and some were arbitrarily denied entry to the police station despite their bar association IDs. Since 2015, Pride Marches have been systematically and unlawfully prevented by the authorities. However, it was decided for the first time that three of the individuals taken into custody after the Pride Marches should be arrested. The observing organizations examined the indictments and statement/interrogation records submitted to the courts in July within the scope of the investigations initiated regarding both pride marches. The use of LGBTI+ identities and peaceful slogans as criminal evidence in these documents constitutes a violation of freedom of expression and peaceful assembly. The practices of law enforcement documented in the report reveal that LGBTI+ individuals were subjected to discrimination, and in some cases, practices that may amount to torture and other ill-treatment, as well as administrative and judicial harassment, during Pride March Weeks, contrary to international human rights law and standards.<sup>163</sup>*

The 11th Istanbul Trans Pride March was planned to be held in Acıbadem, Kadıköy, on Sunday, 22 June, without being explicitly announced on social media, following the Trans Pride Week events held throughout the week. Before the march, the Istanbul Bar Association Human Rights Center and the Human Rights Association Istanbul Branch LGBTI+ Commission shared emergency crisis numbers for human rights violations<sup>164</sup>. On the day of the march, it was observed that the police tracked individuals they knew to be LGBTI+ activists at their residences and on the streets, and carried out custodies under the pretext of General Information Screening. This approach took the law enforcement agencies' practice of obstructing participants during a protest one step further, leading to the unlawful procedure of 'preventive custody' to hinder activists from organizing and potentially participating in events. Although custody should only occur when there is a suspicion of a crime, a *de facto* situation was created where one of the most fundamental principles of criminal law since Rome were disregarded, and activists were taken into custody even when no crime was present. It was reported that the phones of those taken into custody were confiscated without any search/seizure warrant, and attempts were made to gather information about

<sup>163</sup> 17 May Association, Truth Justice Memory Center, Human Rights Association Istanbul Branch, Kaos GL, SPoD, HRFT, Amnesty International, "Sen de Rahat Dursaydın!: 2025 İstanbul Trans ve LGBTİ+ Onur Haftaları İzleme Raporu" [You Should Have Stayed Calm Too!: 2025 İstanbul Trans and LGBTI+ Pride Weeks Monitoring Report], 6 August 2025, <https://spod.org.tr/wp-content/uploads/2025/08/Pride-2025-Gozlem.pdf>.

<sup>164</sup> Istanbul Bar Association (@istbarosu), 22 June 2025, <https://x.com/istbarosu/status/1936745391669866686>; Human Rights Association Istanbul Branch LGBTI+ Commission (@ihdistanbul), 22 June 2025, <https://x.com/ihdistanbul/status/1936732910695915748>.

the march by unlocking the phones without consent. The crowd that had gathered for the march was encircled by the police before they could even read the press statement, and activists were taken into custody without being given any opportunity to disperse, in violation of Law No. 2911. Even members of parliament present in the area were obstructed. On the same day, in addition to those taken into custody in Acıbadem, where the march and press statement were intended to be held, a total of 46 people, including 3 children, comprising those tracked under an identity and background check pretext from Kadıköy and others from Beyoğlu who were not even involved in the march but were 'identified as LGBTI+' by law enforcement, were taken into custody. While those attempting to participate in the Istanbul Pride March since 2015 were typically taken into custody and released the same night, in 2025, for the first time, 43 people excluding the children were transferred to the courthouse after spending a night in custody subject to the prosecutor's disposition<sup>165</sup>. Five trans activists taken into custody at the beginning of the day under an identity and background check pretext were released with judicial control measures including a travel ban and signature obligation, while everyone else was released without any judicial control measure. The statement by the Istanbul Trans Pride Week Committee regarding the human rights violations experienced throughout the day was as follows:

*"To the state, which bases all its mechanisms on intimidating queers, and to all its apparatus, we want to remind you with our usual enthusiasm: You cannot intimidate us with these arbitrary practices! We will continue to seep through the cracks and drive you mad. Despite your laws, which you try to frame to impose your fabricated sacred family ideology fueled by your fascism, we announce once again that we will not yield to any policy of oppression or intimidation."*<sup>166</sup>

The first hearing of the criminal case filed against 36 of the individuals taken into custody on the charge of "violating Law No. 2911" will be held at the Istanbul Anatolian Courthouse on 10 March 2026<sup>167</sup>. The prosecutor who prepared the indictment decided to separate the file concerning the three lawyers taken into custody by law enforcement officers and continue their investigation separately. An indictment was also prepared against the three children taken into custody for the same charge, and their prosecution will be conducted in accordance with the criminal law provisions pertaining to children. In the investigation concerning four individuals taken into custody in Beyazıt merely for wearing colourful clothing, the

<sup>165</sup> Istanbul Bar Association (@istbarosu), 23 June 2025, <https://x.com/istbarosu/status/1937044564033822922>.

<sup>166</sup> Istanbul Trans Pride Week (@transonurhaftasi), 23 June 2025, <https://www.instagram.com/transonurhaftasi/p/DLP6B7Uoknq/>.

<sup>167</sup> "11. Trans Onur Yürüyüşü'ne Katılan 36 Kişiyi Dava Açıldı" [Lawsuit Filed Against 36 People Who Participated in the 11th Trans Pride March], Pembe Hayat, 25 July 2025, <https://www.pembehayat.org/haberler/11-trans-onur-yuruyusu-ne-katilan-36-kisiye-dava-acildi-3645>.

prosecutor's office issued a non-prosecution decision, stating there was insufficient evidence that the aforementioned individuals participated in an unlawful meeting or demonstration<sup>168</sup>.

On 28 June, following the police attack during the LGBTI+-themed event that the Workers' Party of Turkey (TİP) intended to hold in Kadıköy Yoğurtçu Park, 42 people, including journalist İrfan Değirmenci and members of the TİP Party Assembly, were taken into custody. The prohibition by the District Governorship of an event concerning LGBTI+ rights during Pride Month organized by a political party, rights the party has included in its program and charter, and the custody of participants including party members is conducive to stripping political parties of the rights guaranteed by the Constitution and the Political Parties Law. Indeed, 13 of the 42 individuals taken into custody, exactly as happened during the Trans Pride March the previous week, were held overnight in custody for transfer to the courthouse under the prosecutor's disposition before being subsequently released<sup>169</sup>.

The 23rd Istanbul LGBTI+ Pride March, which closed out Pride Month 2025, was planned to be held in Ortaköy, Beşiktaş, on Sunday, 29 June, without an open social media call. Before the march, Istanbul Governor Davut Gül stated on X that "These calls, which target the peace of society, the family structure, and moral values, have not been permitted"<sup>170</sup>. Prior to the march, 5 LGBTI+ activists were taken into custody while having a meal in Fatih, approximately 11 km away from the planned location. This action, coupled with the extreme police surveillance and unlawful 'kidnapping' of LGBTI+ activists from the street, as witnessed the previous week, raised the issue of law enforcement officers committing the crime of deprivation of liberty. On the day of the march, LGBTI+ activists attempting to gather in Ortaköy were taken into custody in the side streets before they could read a press statement. Also in Ortaköy, 4 lawyers observing the area on behalf of the Istanbul Bar Association Human Rights Center, and 'individuals believed to be activists' sitting in the same cafe, were taken into custody. Two lawyers were released from the custody vehicle by lawyers who were members of the Istanbul Bar Association Lawyers' Rights Center and arrived later at the scene. Furthermore, 2 lawyers who went to the Beşiktaş Police Department to see their clients were also taken into custody by police<sup>171</sup>. Four journalists who were present to follow the march were also taken into custody. Istanbul Deputy Kezban Konukçu, who was in the area to support the LGBTI+ activists,

<sup>168</sup> "Trans Onur Yürüyüşü'nde "renkli kıyafet" gerekçeli soruşturmaya takipsizlik kararı" [Non-prosecution decision for the investigation based on "colourful clothing" during the Trans Pride March], Kaos GL, 9 September 2025, <https://kaosgl1.org/haber/trans-onur-yuruyusu-nde-renkli-kiyafet-gerekceli-sorusturmaya-takipsizlik-karari>.

<sup>169</sup> "Gazeteci İrfan Değirmenci ve 12 TİP'li serbest bırakıldı" [Journalist İrfan Değirmenci and 12 TİP members released], Bianet, 28 June 2025, <https://bianet.org/haber/gazeteci-irfan-degirmenci-ve-12-tip-li-serbest-birakildi-308938>.

<sup>170</sup> Davut Gül (@gul\_davut), 28 June 2025, [https://x.com/gul\\_davut/status/1939030294092292406](https://x.com/gul_davut/status/1939030294092292406).

<sup>171</sup> Istanbul Bar Association Lawyers' Rights Center (@istanbulbaroahm), 30 June 2025, <https://x.com/istanbulbaroahm/status/1939702807239549179>.

was subjected to intervention by the police, in violation of her parliamentary immunity<sup>172</sup>. A total of 53 people were taken into custody with ill-treatment and torture throughout the day, despite no press statement being read and no march taking place. The prosecutor decided that everyone taken into custody must spend a night in the police detention center subject to the prosecutor's disposition. The detained individuals were transferred to the courthouse the next day. While 50 people were released under judicial control measures including a travel ban and signature obligation, 3 people were ordered to be detained, which was a first in custodies related to LGBTI+ Pride Marches and events since 2015. The 3 people ordered to be detained were taken into custody in Beşiktaş, not Ortaköy, after an identity check on the grounds that they had the "potential to participate in the Pride March." The Istanbul 5th Criminal Judgeship of Peace ordered the detention of the 3 individuals, citing other ongoing investigations and prosecutions against them for violating Law No. 2911<sup>173</sup>. It also appears that the fact that these 3 individuals were also part of socialist parties and formations was used as a justification for the custody and arrest decisions. This decision, which openly violates the presumption of innocence, is being used as a tool to criminalize the Pride Marches and prevent social opposition from embracing the LGBTI+ movement through the Marches. Following the acceptance of the indictment prepared within the scope of the ongoing investigation, the first hearing, where only the arrested defendants and those released with judicial control measures were heard, was held at the Istanbul Courthouse on 8 August 2025. One of the arrested individuals was released on 30 July<sup>174</sup>, and the other 2 were released on 8 August, the day the first hearing took place<sup>175</sup>. The next hearing of the case will be held on 24 December 2025.

In summary, during the 10-year period between June 2015 and June 2025, a total of at least 963 people were taken into custody while exercising their constitutionally protected right to peaceful assembly and demonstration by seeking to participate in Pride Marches and various events: 787 in Istanbul, 42 in Ankara, 48 in Eskişehir, and 88 in Izmir; 3 people were also detained.

<sup>172</sup> "23. İstanbul Onur Yürüyüşü'ne polis müdahalesi: En az 40 gözaltı" [Police intervention in the 23rd Istanbul Pride March: At least 40 taken into custody], *Bianet*, 29 June 2025, <https://bianet.org/haber/23-istanbul-onur-yuruyusu-ne-polis-mudahalesi-en-az-40-gozalti-308944>.

<sup>173</sup> *Ezilenlerin Hukuku (@EzilenlerinnHB)* [Law of the Oppressed], 30 June 2025, <https://x.com/EzilenlerinnHB/status/1939705114987815277>.

<sup>174</sup> "İstanbul Onur Yürüyüşü'nde tutuklanan Doğan Nur tahliye edildi" [Doğan Nur, detained in the Istanbul Pride March, released], *Sendika.org*, 30 July 2025, <https://www.sendika.org/2025/07/istanbul-onur-yuruyusunde-tutuklanan-dogan-nur-tahliye-edildi-730593>.

<sup>175</sup> "Onur Yürüyüşü davasında iki sanığa tahliye" [Release for two defendants in the Pride March case], *DW*, 8 August 2025, <https://www.dw.com/tr/onur-y%C3%BCr%C3%BCy%C3%BC%C5%9F%C3%BC-davas%C4%B1nda-iki-san%C4%B1%C4%9Fa-tahliye/a-73572154>.

The table below shows a portion of the individuals who were taken into custody during LGBTI+ events over the years and against whom a verdict of acquittal or a decision of non-prosecution was issued. Since not every march was organized every year, the table only includes data for the years when they were held.

	Istanbul LGBTI+ Pride March	Istanbul Trans Pride March	Izmir Pride March	METU/Ankara Pride March	Eskişehir Pride March
2016	-	Acquittal - 11 people	-	-	-
2017	Acquittal - 24 people	Acquittal - 7 people	-	-	-
2018	Acquittal - 4 people; Suspension of the Announcement of the Verdict - 2 people	-	-	-	-
2019	Non prosecution - 5 people	-	Acquittal - 16 people	Acquittal - 19 people (METU)	-
2021	Acquittal - 41 people	-			-
2022	Non-prosecution - 373 people; Acquittal - 11 people	-	Non- prosecution - 12 people	Acquittal 42 people (Ankara); Lawsuit opened - 37 people (METU)	Acquittal - 8 people
2023	Non prosecution - 46 people	Non-prosecution - 9 people	Acquittal - 53 people	-	Acquittal - 18 people
2024	Acquittal - 8 people	Acquittal - 2 people	-	-	Sentence given - 10 people
2025	Case pending - 53 people	Case pending - 36 people	-	-	-

### Human Right Mechanisms and Advocacy

The *Oya Ataman* group, where the execution of the ECtHR's violation judgments concerning the right to peaceful assembly and demonstration in Turkey is monitored by the Committee of Ministers of the Council of Europe, offered LGBTI+ individuals a new advocacy method regarding the execution of court judgments. Prior to the Committee of Ministers meeting held in September 2024, a comprehensive Rule 9.2 communication concerning the prohibition of LGBTI+ events in Turkey was submitted to the Committee, led by SPoD and the University Queer Research and LGBTI+ Solidarity Association

(ÜniKuir)<sup>176</sup>. Through this, the prohibition of LGBTI+ events was brought to the attention of Turkish authorities at the international level, and the effects of ongoing prohibitions on the LGBTI+ community were publicized. Although the growing chronic non-compliance with Constitutional Court and ECtHR decisions in Turkey is concerning regarding the rule of law, Rule 9.2 communications allow civil society organizations to conduct advocacy before the Council of Europe and enable the Committee of Ministers, the Council's decision-making body, to adopt binding decisions on member states of the Council<sup>177</sup>.

In addition to this, following applications made to the ECtHR by KaosGL concerning the event prohibitions in Ankara in 2016 and 2017, the Court sent a communication to the Turkish government<sup>178</sup>. In this communication, the Court posed questions to Turkey regarding the right to peaceful assembly and demonstration concerning LGBTI+ events, particularly in conjunction with the prohibition of discrimination<sup>179</sup>. Following the communication directed at the government, LGBTI+ organizations were able to intervene in the case with a third-party intervention, serving as another advocacy method before the Council of Europe. This facilitated the Court's understanding of the context of the discriminatory LGBTI+ prohibitions that have been taking place in Turkey since 2015. The third-party intervention sent by SPoD and ILGA-Europe specifically compared the current situation in Turkey with ECtHR jurisprudence<sup>180</sup>, while the third-party intervention jointly submitted by the Turkey Litigation Support Project, Monitoring Association for Equal Rights, Truth Justice Memory Center, Women's Human Rights Association, and ÜniKuir Association provided a detailed account of the prohibitions experienced in Turkey since 2015 at the national level<sup>181</sup>.

<sup>176</sup> See the communication submitted by the Social Policies, Gender Identity and Sexual Orientation Studies Association (SPoD), University Queer Research and LGBTI+ Solidarity Association (ÜniKuir), HEVI LGBTI+ Association, KaosGL Association, Özgür Renkler Association, Lambdaistanbul LGBTI+ Solidarity Association, 17 May Association, Genç LGBTI+ Association, Red Umbrella Sexual Health and Human Rights Association, Association of Families and Friends of LGBTI+ (LİSTAG), Muamma LGBTI+ Education Research and Solidarity Association, Ankara Rainbow Families Association, and Pembe Yaşam LGBTI+ Solidarity Association under Rule 9.2 of the Rules for the supervision of the execution of judgments and of the terms of friendly settlements of the Committee of Ministers of the Council of Europe regarding the case group of *Oya Ataman v. Turkey* (Application No. 74552/01), [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)893E](https://hudoc.exec.coe.int/?i=DH-DD(2024)893E).

<sup>177</sup> "Antalya Onur Yürüyüşü davasında beraat kararı" [Acquittal decision in the Antalya Pride March case], Kaos GL, 10 April 2025, <https://web.archive.org/web/20250427005948/https://kaosgl.org/haber/antalya-onur-yuruyusu-davasinda-beraat-karari>.

<sup>178</sup> See <https://hudoc.echr.coe.int/?i=001-234812>.

<sup>179</sup> "Türkiye, LGBTI+ yasakları davasında AİHM'e yanıtlarında polisin saldırdığı etkinliğin yapılabildiğini iddia etti" [Turkey claimed in its replies to the ECtHR in the LGBTI+ prohibitions case that the event attacked by police was able to take place], Kaos GL, 9 January 2025, <https://web.archive.org/web/20250811102134/https://kaosgl.org/haber/turkiye-lgbti-yasaklari-davasinda-aihm-e-yanitlarinda-polisin-saldiridigi-etkinligin-yapilabildigini-iddia-etti>.

<sup>180</sup> SPoD and ILGA-Europe, Third-Party Intervention, <https://spod.org.tr/download/12310/?tmstv=1748380193>.

<sup>181</sup> Turkey Litigation Support Project, Monitoring Association for Equal Rights, Truth Justice Memory Center, Women's Human Rights Association, Human Rights Foundation of Turkey, and University Queer Research and LGBTI+ Solidarity Association, *Kaos GL v. Türkiye* (Application nos. 27507/23 and 5797/22), Third-Party Intervention, <https://www.unikuir.org/haberler/insan-haklari-orgutleri-aihm-39-e-kaos-gl-turkiye-basvuru-no-27507-23-ve-5797-22-davasina-iliskin-ortak-bir-ucuncu- taraf-gorusu-sundu-18-12-2024>.

## Conclusion

Since 2015, the prohibitions imposed on LGBTI+ Pride Marches in Turkey have transformed from isolated administrative decisions into a systematic state policy. This process is part of a regime of public oppression that directly targets the existence of LGBTI+ individuals and is attempted to be legitimized through rhetoric primarily based on 'family' and 'morality.' The prohibition of Pride Marches is not merely a freedom of expression issue. It also signifies the prevention of LGBTI+ visibility in the public sphere and the criminalization of their existence.

The judicial processes documented throughout the report reveal that the administrative judiciary has ceased to be an effective avenue for LGBTI+ individuals to seek justice. The systematic rejection of requests for a suspension of execution by administrative courts of first instance, the Constitutional Court's failure to issue violation judgments contrary to its own jurisprudence, and the non-implementation of ECtHR standards at the local level collectively result in the disregard of human rights and the rule of law principles for LGBTI+ individuals. This situation exemplifies the state using the struggle for LGBTI+ rights as a ground for instrumentalization, leading directly to violations of the law. Since the positive court decisions won by LGBTI+ rights defenders against prohibition decisions are only delivered years after the prohibitions occur, they do not create a preventive effect against past or future violations in the eyes of public authorities.

Similarly, the fact that criminal investigations do not lead to prosecutions or that prosecutions ultimately result in acquittal casts a shadow over the exercise of the right, due to the long periods individuals spend under the threat of punishment.

The justifications for prohibition decisions targeting LGBTI+ events are generally based on abstract and arbitrary concepts such as "societal sensitivities," "public security," or "public morality," which are highly elastic. However, the right to peaceful assembly and demonstration exists to safeguard the expression not only of views accepted by the majority but also those of minorities or ideas deemed uncomfortable. The *de facto* suspension of this right for LGBTI+ individuals in Turkey clearly demonstrates that the state is violating its negative and positive obligations.

Despite all the oppression, violence, prohibition, and the threat of custody, the LGBTI+ movement has not given up the streets, visibility, or the struggle. The tactical diversity developed, particularly in 2023 and 2024 (unannounced march routes, decentralized press

statements, and strategies to reclaim public space through cultural events), demonstrates that the resistance is not only ongoing but is also transforming and gaining strength.

The jurisprudence and Council of Europe/ECtHR decisions cited in the report reveal that the practices in Turkey constitute a clear violation of international law. In this context, the continuation of the LGBTI+ movement's quest for rights not only locally but also through international mechanisms is a significant strategic achievement and a tool for pressure.

## **Legal, Policy, and Implementation Recommendations for a Favourable Environment for LGBTI+ Pride Marches**

LGBTI+ Pride Marches, which began to be organized in Turkey in the 2000s, are protected under the right to peaceful assembly and demonstration, safeguarded by Article 34 of the Constitution, Article 14 of the ECHR, and Article 20 of the UN Universal Declaration of Human Rights. This right may only be subject to restrictions under specific conditions. The ability to hold marches and all kinds of events where LGBTI+ individuals celebrate the dignity of being human in all their diversity and bring their demands for legal recognition, protection, and political change to the agenda is one of the criteria for being a democratic society. States have a positive obligation to take the necessary measures for the exercise of the right to peaceful assembly and demonstration. In this context, recommendations were provided for LGBTI+ Pride Marches and all other types of events, systematically prohibited with discriminatory motives since 2015 in Turkey, to be held without state-sponsored pressure and attacks.

### **Recommendations for Lawmakers**

- 1) The phrase “sexual orientation, gender identity, gender characteristics” should be added to Article 10 of the Constitution, “equality before the law,” and discrimination against LGBTI+ individuals should be prohibited at the constitutional level.
- 2) The discriminatory prohibition practice against LGBTI+ events that has been ongoing since 2015 must be terminated, and action should be taken within the framework of positive obligations regarding the right to peaceful assembly and demonstration, which is protected at the constitutional, ECHR, and UN levels.

- 3) LGBTI+ individuals must not be subjected to disproportionate use of force or ill-treatment by law enforcement with discriminatory motives while exercising their right to peaceful assembly and demonstration.
- 4) LGBTI+ events must not be prohibited based on abstract justifications such as “public morality, public health, public order, prevention of crime, intelligence information regarding the possibility of attacks by terrorist organizations”; prohibition decisions should be considered as a last resort, and law enforcement should take the necessary measures to allow the event to take place before a prohibition decision is issued.
- 5) Hate speech directed at LGBTI+ individuals must be regulated as a crime under the Turkish Penal Code, and the commission of crimes based on discrimination against LGBTI+ individuals must be added to the law as an aggravating circumstance.
- 6) Regulations that restrict the exercise of the right to peaceful assembly and demonstration and complicate the exercise of the right through procedural methods, particularly Law No. 2911 on Meetings and Demonstration Marches and Law No. 5442 on Provincial Administration, must be amended in line with ECtHR jurisprudence.
- 7) Law No. 2577 on Administrative Adjudication Procedure must introduce urgent judicial procedures to make administrative judicial bodies an effective remedy against prohibition decisions concerning the right to peaceful assembly and demonstration.

### **Recommendations for Executive and Oversight Authorities:**

- 1) Administrative authorities must cease to systematically issue prohibition decisions concerning LGBTI+ events, taking into account the jurisprudence of the oversight bodies regarding the ECHR and the UN Universal Declaration of Human Rights, to which Turkey is a party, and the decisions of the courts of the Republic of Turkey.
- 2) LGBTI+ individuals exercising their right to peaceful assembly and demonstration must not be kept under the threat of punishment through ill-treatment, torture, and lengthy investigation and prosecution processes.
- 3) Criminal complaints filed against law enforcement officers who intervene in peaceful demonstrations must be processed, and law enforcement officers must be provided with training on LGBTI+ issues in line with OSCE and UN standards.

- 4) Students participating in protests must not be pressured by being subjected to penalties such as discontinuation of scholarships, loans, or dormitory placements; rectors must not summon law enforcement officers to university campuses in a manner that leads to threats and violations of freedom of expression during LGBTI+ events; LGBTI+ university students must be able to organize around LGBTI+ clubs and communities on their campuses.
- 5) Organizations advocating for LGBTI+ rights must not be subjected to inspections and prohibitions through administrative practices in a way that harms the right to association.

## **International Standards**

According to Recommendation CM/Rec(2010)5 of the Committee of Ministers of the Council of Europe to member states on measures to combat discrimination on grounds of sexual orientation or gender identity:

*“III. Freedom of expression and peaceful assembly*

*13. Member states should take appropriate measures to ensure, in accordance with Article 10 of the Convention, that the right to freedom of expression can be effectively enjoyed, without discrimination on grounds of sexual orientation or gender identity, including with respect to the freedom to receive and impart information on subjects dealing with sexual orientation or gender identity.*

*14. Member states should take appropriate measures at national, regional and local levels to ensure that the right to freedom of peaceful assembly, as enshrined in Article 11 of the Convention, can be effectively enjoyed, without discrimination on grounds of sexual orientation or gender identity.*

*15. Member states should ensure that law enforcement authorities take appropriate measures to protect participants in peaceful demonstrations in favour of the human rights of lesbian, gay, bisexual and transgender persons from any attempts to unlawfully disrupt or inhibit the effective enjoyment of their right to freedom of expression and peaceful assembly.*

*16. Member states should take appropriate measures to prevent restrictions on the effective enjoyment of the rights to freedom of expression and peaceful assembly resulting from the abuse of legal or administrative provisions, for example on grounds of public health, public morality and public order.*

*17. Public authorities at all levels should be encouraged to publicly condemn, notably in the media, any unlawful interferences with the right of individuals and groups of individuals to exercise their freedom of expression and peaceful assembly, notably when related to the human rights of lesbian, gay, bisexual and transgender persons.*<sup>182</sup>

**According to Parliamentary Assembly of the Council of Europe Resolution 2417 on combating rising hatred against LGBTI people:**

The Assembly further calls on all member States to:

*“16.1. put in place a clear human rights policy to protect and promote LGBTI equality, including a strategy and action plan with clear and measurable targets and timelines for implementing any changes to legislation, policy or practice necessary to achieve equality, and effective accountability mechanisms;*

*16.2. mainstream the rights of LGBTI people in all key legislative, policy and other measures;*

*16.3. work proactively to bring their domestic legislation and practice into line with the developing case law of the European Court of Human Rights;*

*16.4. ensure that children are provided with objective, non-stigmatising information on sexual orientation, gender identity and sex characteristics;*

*16.5. refuse to provide funding to local, regional or national authorities or other State or non-state actors that deny the human rights of LGBTI people, and to withdraw such funding if it has already been granted.*<sup>183</sup>

**According to the European Court of Human Rights' Guide on its case-law relating to LGBTI+ rights:**

*The freedom of assembly and association is vital for LGBTI+ individuals to collectively express their rights and conduct advocacy. The European Court of Human Rights (ECtHR) emphasizes in many of its decisions that this right covers not only individual but also collective action, and that peaceful assemblies organized to publicly express opinions must be protected. For instance, in the case of Zhdanov and Others v. Russia, the Court found the refusal of registration requests by LGBTI+ organizations to be a violation of Article 11 of the European Convention on Human Rights (ECHR), stating that justifications such as “protecting the traditional family structure” were insufficient to deny the existence*

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<sup>182</sup> Recommendation CM/Rec(2010)5 of the Committee of Ministers of the Council of Europe to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, <https://search.coe.int/cm?i=09000016805cf424>.

<sup>183</sup> Parliamentary Assembly of the Council of Europe, Resolution 2417 (2022), 25 January 2022, <https://pace.coe.int/en/files/29712/pdf>.

*of LGBTI+ organizations. In *Alekseyev v. Russia, Bączkowski and Others v. Poland, and Identoba and Others v. Georgia*, the ECtHR deemed the prohibition of LGBTI+ marches by authorities to be a clear interference with the right to peaceful assembly. In *Lashmankin and Others v. Russia*, it was stated that the administration's practices of changing the time and location of a meeting or preventing it entirely were arbitrary and constituted a violation of Article 11. The Court explicitly states that threats arising merely from potential counter-demonstrations do not constitute a legitimate ground for prohibiting an assembly; on the contrary, authorities have a positive obligation to take the necessary measures to ensure the assembly can take place safely. In *Genderdoc-M v. Moldova*, the inadequate intervention of law enforcement resulted in state responsibility for the attacks that occurred during an LGBTI+ march. In light of all these decisions, it is established that states must protect the right to peaceful assembly not only by refraining from interference but also by fulfilling their positive obligations to ensure this right can be effectively exercised. The arbitrary prohibition, targeting, or prevention of LGBTI+ events on the grounds of threats from opposing groups constitutes a violation under Article 11 of the ECHR. Therefore, the right of LGBTI+ individuals and organizations to peacefully assemble must be guaranteed as required by the principles of pluralism, tolerance, and inclusion in a democratic society.*"<sup>184</sup>

According to the Venice Commission and the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) *Guidelines on Freedom of Peaceful Assembly*:

*"Legislation and measures prohibiting assemblies and other forms of public expression simply because they support or raise awareness of the rights of LGBTI people constitutes discriminatory restrictions and should be repealed. Moreover, the possibility of counter-demonstrations, which frequently occur during LGBTI demonstrations or marches, in no way justifies excessive bans or restrictions on such assemblies."*<sup>185</sup>

**According to the United Nations Human Rights Committee General Comment No. 37 on Article 21 (Right of Peaceful Assembly):**

*"States must ensure that laws and their interpretation and application do not result in discrimination in the enjoyment of the right of peaceful assembly, for example on the basis of race, colour, ethnicity, age, sex, language, property, religion or belief, political or other*

<sup>184</sup> European Court of Human Rights, Guide on the case-law of the European Convention on Human Rights - Rights of LGBTI persons, [https://ks.echr.coe.int/documents/d/echr-ks/guide\\_lgbti\\_rights\\_eng](https://ks.echr.coe.int/documents/d/echr-ks/guide_lgbti_rights_eng).

<sup>185</sup> OSCE and Venice Commission, *Guidelines on Freedom of Peaceful Assembly* (CDL-AD(2019)017rev), 15 July 2020, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2019\)017rev-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2019)017rev-e).

*opinion, national or social origin, birth, minority, indigenous or other status, disability, sexual orientation or gender identity, or other status. Particular efforts must be made to ensure the equal and effective facilitation and protection of the right of peaceful assembly of individuals who are members of groups that are or have been subjected to discrimination, or that may face particular challenges in participating in assemblies. Moreover, States have a duty to protect participants from all forms of discriminatory abuse and attacks.”<sup>186</sup>*

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<sup>186</sup> United Nations Human Rights Committee, General Comment No. 37 on Article 21 (Right of Peaceful Assembly), 17 September 2020, <https://docs.un.org/en/CCPR/C/GC/37>.

