

REPORT ON

RIGHTS RIGHTS

VIOLATIONS VIOLATIONS

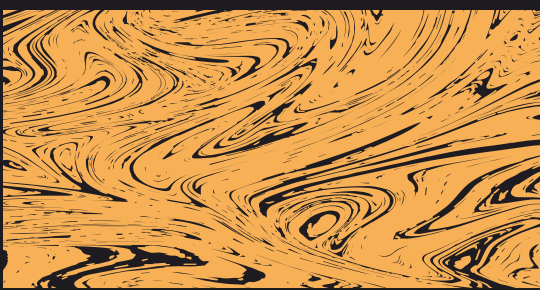
AGAINST AGAINST

LGBTI+ LGBTI+

REFUGEES REFUGEES

DURING COVID-19 DURING COVID-19

PANDEMIC PANDEMIC



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STIFTUNG





REPORT ON RIGHTS VIOLATIONS AGAINST LGBTI+ REFUGEES DURING COVID-19 PANDEMIC

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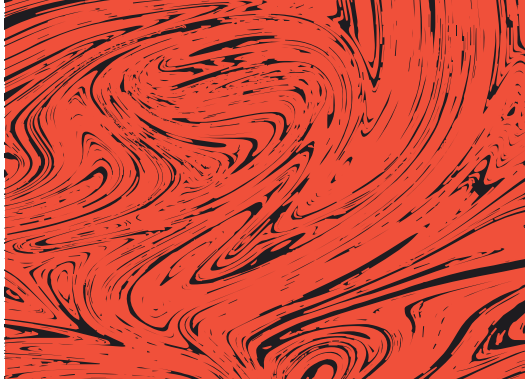
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ABBREVIATIONS

APA: American Psychiatric Association

ASAM/SGDD: Association for Solidarity with Asylum Seekers and Migrants

UN: United Nations

GHC: General Health Coverage

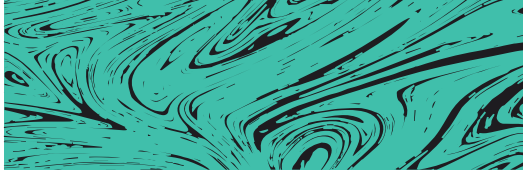
IDAHOBIT: International Day Against Homophobia, Biphobia, Interphobia, and Transphobia

SSI: Social Security Institution

UNHCR: United Nations High Commissioner for Refugees

YIMER: Foreigners' Communication Centre

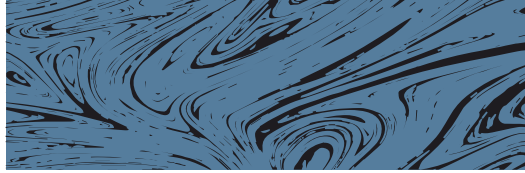




INTRODUCTION

This report was prepared to bring to light the rights violations perpetrated against LGBTI+ refugees living, or left with no other choice than living, in Turkey during the COVID-19 pandemic and to put forward a reference for social policies aiming to eliminate the rights violations observed in this area. The information provided in the report pertains to the experiences of the LGBTI+ refugees who took part in the online events held under “17th May IDAHOBIT for LGBTI+ Refugees” by HEVI LGBTI+ Association in 2020 and 2021. Most of the refugees taking part in this series of events are LGBTI+ refugees from the Middle East and North Africa living in various cities in Turkey. All identifiable information declared in this context is anonymised for the purposes of personal safety.

The “LGBTI+ Refugees’ Declaration of Demands” in the last part of the report was formulated by LGBTI+ refugees, as well as LGBTI+ activists involved in this field, during an event held under “17th May International Day Against Homophobia, Biphobia, and Transphobia Gatherings for LGBTI+ Refugees-VI” organised by HEVI LGBTI+ Association in 2021. This declaration, prepared in 5 languages (Arabic, Farsi, English, Kurdish, and Turkish), was shared with both LGBTI+ organisations active in Turkey and international LGBTI+ organisations.



17TH MAY INTERNATIONAL DAY AGAINST HOMOPHOBIA, BIPHOBIA, INTERPHOBIA, AND TRANSPHOBIA (IDAHOBIT) GATHERINGS FOR LGBTI+ REFUGEES

WHY 17TH MAY?

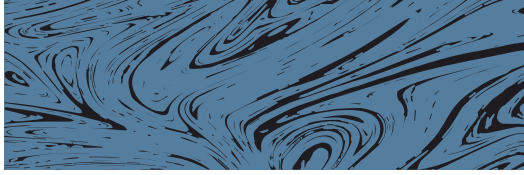
World War II brought along discrimination with it and marked the onset of social mobility rising in opposition. Such social mobility started to effect victims of LGBTI+phobia in the 1960s, bringing them together in numerous areas of relevance including sexual orientation and gender identity. Acting on their will to put an end to the rights violations experienced in the new world order, LGBTI+ individuals set off to work for “gay rights”. These efforts shed more light on the police violence, state violence, and social violence perpetuated against LGBTI+ individuals.

In 1969, the police raid on “Stonewall Inn” bar in the U.S. and the ensuing violence against the LGBTI+ caused a shift among the LGBTI+ community to a state of self-defence.¹ This incident, widely covered in international media, was an important turning point for the efforts to expose the rights violations against the LGBTI+. This incident was followed by activism for sexual liberation and gay rights among civil society organisations on one hand and by relevant scientific studies on the other. Consequently, the American Psychiatric Association (APA) ruled that “homosexuality per se does not meet the criteria for psychiatric disorder”² and removed homosexuality from the “Diagnostic and Statistical Manual of Psychiatric Disorder” in 1973. On 17th May 1990, the World Health Organisation declassified homosexuality as a mental disorder.³ 17th May, as a day that marks significant achievements for LGBTI+ rights, is celebrated by civil society organisations working for the LGBTI+ community in Turkey and many other countries as the International Day Against Homophobia, Biphobia, Interphobia, and Transphobia (IDAHOBIT).

¹<https://news.harvard.edu/gazette/story/2019/06/harvard-scholars-reflect-on-the-history-and-legacy-of-the-stonewall-riots/> 24.05.2021

²<https://www.nytimes.com/1973/12/16/archives/psychiatrists-in-a-shift-declare-homosexuality-no-mental-illness.html> 24.05.2021

³<https://www.apa.org/pi/lgbt/resources/against-homophobia>



HEVI LGBTI+ AND ITS ACTIVITIES FOR 17TH MAY IDAHOBIT:

HEVI LGBTI+ started its work on gender identity, sexual orientation, and gender in 2013. Focusing on the Kurdish LGBTI+ community, HIV, and stigmatisation in its work, HEVI LGBTI+ enjoyed an impetus in its efforts for migration and LGBTI+ refugees following its establishment as an association in 2015.

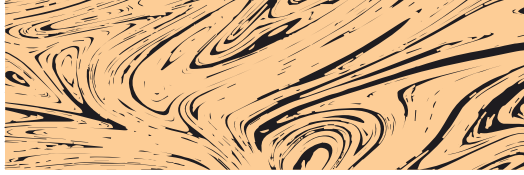
The political movements originating from the “Arab Spring” in Middle Eastern and African countries in 2010 resulted in a new migration wave and LGBTI+ victims of rights violations represented an important part of such mobility. As HEVI LGBTI+ organised more field studies centred around LGBTI+ refugees, it became apparent that LGBTI+ refugees living, or left with no other choice than living, in Turkey experienced racism, as well as LGBTI+phobia, and were forced to cope with such discrimination alone.⁴ The relevant studies also revealed that LGBTI+ individuals kept waiting in Turkey for long periods of time experienced discrimination not only on grounds of their gender identity, genderlessness, and sexual orientation, but also due to the names, religions, sects, and cultures of their countries of origin during their waiting period in Turkey. What is more, the studies observed that no legal procedure was (could be) initiated to respond to such multiple discrimination throughout their entire duration.

HEVI LGBTI+ Association celebrates 17th May as the “International Day Against Homophobia, Biphobia, Interphobia, and Transphobia” for LGBTI+ refugees since 2016.⁵ 17th May 2016 marked the production of multilingual (Kurdish, Arabic, Farsi, Turkish, and English) leaflets on IDAHOBIT by activist LGBTI+ migrants and HEVI LGBTI+ with a view to diverting public attention on the rights violations observed at the time. These leaflets underlined the LGBTI+phobia, racism, and discrimination perpetuated against LGBTI+ refugees and migrants. In the period before the COVID-19 pandemic, LGBTI+ refugees used to come together at the association headquarters and organise multilingual (Arabic, Farsi, and Kurdish) awareness-raising events. In addition to the awareness-raising events for LGBTI+ refugees, there were “Anti-Phobic” boat tours organised with LGBTI+ refugees with the aim of protecting LGBTI+ refugees from social isolation and reducing instances of social phobia they experienced.⁶ HEVI LGBTI+ Association continued with such psychosocially complementary events to struggle against the problems encountered by LGBTI+ refugees until the pandemic.

⁴<https://tr.boell.org/tr/2019/09/18/lgbti-alaninda-irkcilik-ile-mucadele-egitim-programi-raporu>

⁵<https://www.sivilsayfalar.org/2017/05/11/17-mayis-homofobi-transfobi-karsitligi-gununde-multeci-lgbtiler-bulusmasi/> 24.05.2021 <https://kaosgl.org/haber/hevi-lgbti-17-mayis-ta-multeci-lgbti-lari-konusmaya-cagiriyor> 24.05.2021

⁶<http://hevilgbti.org/hevi-lgbti-dernegi-3-defa-multeci-lgbtiler-ozelinde-17-mayis-homofobi-transfobi-karsiti-bulusmasi-gerceklesti/> 24.05.2021



LGBTI+ REFUGEES AND RIGHTS VIOLATIONS DURING THE PANDEMIC⁷

A RESTLESS JOURNEY; REFUGEES AT EDIRNE BORDER:

The onset of the COVID-19 pandemic brought about widespread news of deregulation for passage from Turkey to Europe in December 2019. Following this news, LGBTI+ refugees joined this wave of mobility. Refugees were thus transported by bus companies to Edirne border. The refugees that partook in these travels indicated that “bus companies created in them an impression that the borders were completely open, and they would be able to just pass through the border gates without any obstacles”.⁸ The LGBTI+ refugees that joined the “17th May IDAHOBIT Gatherings for LGBTI+ Refugees-V” summarised the rights violations they had experienced during that period as follows:⁹

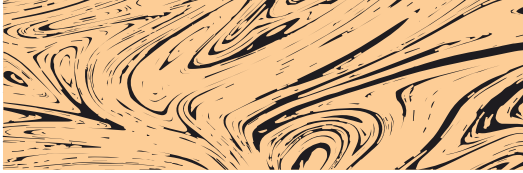
“YOU’VE BEEN TO THE BORDER; YOU MUST HAVE CONTRACTED COVID ALREADY. I CAN’T TAKE YOU IN; I NEED TO THINK OF MY OWN HEALTH...”

We experienced yet another crisis at the same time as the pandemic: The crisis of borders opening and refugees travelling to borders. LGBTI+ refugees, our friends, left their homes in one night. They sold their stuff for very little money and started travelling to the borders. When they returned, they didn’t have their homes or any money. They were in a bad shape psychologically. As their return from the borders coincided with the pandemic, they also experienced discrimination in the hands of their own friends. Their friends said to them, “You’ve been to the border; you must have contracted Covid already. I can’t take you in; I need to think of my own health” or other words to the same effect. A lot of people were hung out to dry. As for the instances of inhuman treatment they were faced with at the borders,

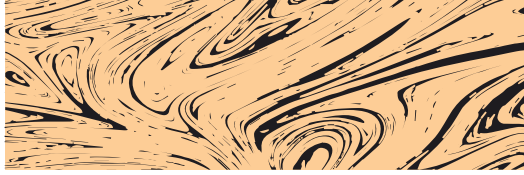
⁷This part of the report was prepared through the experiences of LGBTI+ individuals who took part in the events organised under 17th May IDAHOBIT Gatherings for LGBTI+ Refugees in 2020. Please visit our website at www.hevilgbti.org for more details.

⁸<https://amnesty.org.tr/public/uploads/files/S%C4%B0YAS%C4%B0%20B%C4%B0R%20OYUNUN%20ORTASINDA%20KALANLAR-FINAL.pdf> S.4 -24.05.2021

⁹<http://hevilgbti.org/17-mayis-multeci-lgbtilar-ozelinde-idahobit-kapsaminda-5-kez-bir-araya-geldik/> 24.05.2021



they are impossible to describe. Everybody who returned from the borders gives the same account of the mechanism in place: There is a region between the borders of Greece and Turkey. Most people leaving the border gate in Turkey gather there. As they find the gate to Greece closed, they get stuck in this region, wishing to go back to Turkey. At the gate in Turkey, they are made to sign a return document. There will be judicial proceedings against those signing this document. This is what we hear from individuals who did not enter this region and watched the procedure from the outside. Those at the border were predominantly Afghani, Iranian, and Syrian. They were able to speak, but not read Turkish. And since they couldn't read Turkish text, they signed those documents without any inking as to what it meant. Those that returned were also faced with a disaster in psychological terms. They had lost everything before they arrived in Turkey. They could barely establish themselves here. This operation of perceptions meant that they lost everything once again. They had started moving towards a new hope but found nothing as a result. I believe that the surge in suicide attempts following this process is no coincidence. Those that travelled to Edirne border did experience these problems. But even those that chose not to travel, but to stay in the country were lynched as severely as those that chose the opposite option. For instance, the houses of foreigners were marked in Samsun. Their property owners beat them and kicked them out of their homes. Property owners said, "Edirne border is still open, just use it to go away!". At their workplaces, they heard things like "The borders are open; aren't you going to go? Leave Turkey alone already!". We had a similar experience with a bakery which we used to frequent; they said, "Why didn't you go away? Aren't you going to?". When we said, in response, that we didn't prefer mobbing away, they said, "You are all dirtbags! Turkey, our country, was better before you came in. You should've fought and lived with honour in your country!". We still experience these moments. Unfortunately, I have been experiencing these here daily for 4 years. Discrimination and LGBTI+phobia have always been there. But they were exacerbated during the pandemic. Specifically, against Iranian refugees. The excuse for this specific surge was reportedly the emergence of COVID-19 in Iran before Turkey. We were treated like we had coronavirus in our blood, like contact with us should be avoided because we were Iranian. This was not only in the hands of the public. We experienced such instances of discrimination at institutions, hospitals, and pharmacies in broad daylight. Discrimination and pressure increased even more after the statements of the Presidency of Religious Affairs."



HINDERED ACCESS TO MASKS AND DISINFECTANTS:

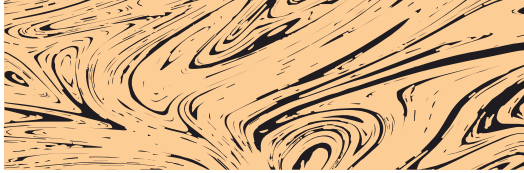
During the pandemic, refugees and especially LGBTI+ refugees experienced discrimination in their access to the protective equipment they needed to protect themselves against the COVID-19 pandemic. The LGBTI+ refugees we met with through online events stated that they were forced to pay excessive prices for disinfectants and other protective solutions and had almost no access to masks. One LGBTI+ refugee summarised their situation as follows:

“When COVID-19 started, everybody was laid off. Nobody had been able to save money before the pandemic; the wages they were paid were not enough for savings anyway. The rents were too high. Even five people living in one apartment could not achieve the economic means necessary to pay their rent. One of the problems we encountered during the pandemic was the significant upsurge in the prices of disinfectants. We used to be able to buy cologne for our homes for 2 TL before; but the prices went off the wall during this period, leaving people unable to buy cologne. There were issues in the dispensation of masks, as well. Refugees started to lose their access to masks. They found themselves unable to go out. Before COVID-19, refugees had already experienced a certain set of discriminatory acts. With COVID-19 added on top, refugees secluded themselves more in their homes. COVID-19 restricted their life, their socialisation.”

In addition to the experience related above, government authorities made an announcement on 6th April 2020 to introduce a ban on mask sales starting from May,¹⁰ which meant almost no access to masks for LGBTI+ refugees without the possibility of reaching Post Offices or e-government services and for unregistered refugees. During this process, HEVI LGBTI+ received a lot of applications requesting masks, disinfectants, and sanitary pads and responded to these demands by preparing “pandemic support kits” to cover the urgent needs of refugees and distributing these to 276 LGBTI+ refugees living in 22 different cities.¹¹

¹⁰<https://www.trthaber.com/haber/gundem/cumhurbaskani-erdogan-parayla-maske-satisi-yasaktir-473655.html> 24.05.2021

¹¹<http://hevilgbti.org/pandemi-destek-paketlerimiz-yola-cikti/> 24.05.2021



HINDERED ACCESS TO MEANS OF COMMUNICATION AND VIOLATIONS OF THE RIGHT TO HEALTH:

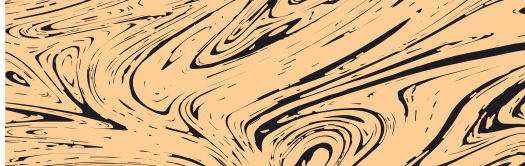
The Law on Foreigners and International Protection prescribes the rights of refugees with different statuses in Turkey and was amended in various parts in December 2019. One of the amendments was related to the health coverage offered to refugees. The new regulation put in place a 1-year limitation to the entitlement of applicants for International Protection to general health coverage. The Migration Management Office announced the new practice on its website, stating that “[b]y operation of law, general health insurance of the applicants or the beneficiaries of International Protection over 18 who have been staying for more than one year beginning from the date of registration is cancelled.”¹²

As can be gathered from the direct rendition of one LGBTI+ refugee who took part in our events, rights violations and the resulting problems encountered by LGBTI+ refugees were exacerbated during the pandemic. LGBTI+ refugees continued to encounter a series of problems in their access to the right to health during the pandemic.¹³

“The problems affecting refugees started to mount even before the pandemic. For instance, there was the issue with access to sim cards. The sim cards marketable to individuals with foreign ID were only usable for three months. Even these temporary sim cards were available only to those with valid passports. Those that had entered the country illegally lost their access to sim cards from Turkcell and Türk Telekom. As you know, there was no health coverage left to speak of at the time. There was no preparation in place in its anticipation, either. But there are people with chronic illnesses or those living with HIV... This new practice shocked everyone. There were issues in securing appointments with doctors. People with medical problems that needed medication were faced with hindrances. In the aftermath, the Provincial Migration Management Office relaxed the practice. The health insurance was resumed through medical reports. Still, LGBTI+ refugees affected by economic problems were forced to pay around 100 TL for a medical report. 100 TL may be considered small, but this sum is rather big for refugees. Cancellation of all health insurance... Communication problems...”

¹²<https://www.goc.gov.tr/uluslararasi-koruma-kapsamindaki-yabancilarin-genel-saglik-sigortalari-hakkinda> 24.05.2021

¹³<https://www.stgm.org.tr/e-kutuphane/multeci-lgbti-saglik-hakki-ayrimcilik-raporu> 01.06.2021



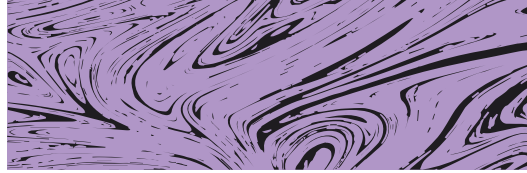
ECONOMIC PROBLEMS:

The COVID-19 pandemic affected the world almost in its entirety and along with the pandemic, LGBTI+ refugees were laid off. One LGBTI+ refugee expresses their experience in this period as follows:

“Before the pandemic, we had seen a decline in the number of clients at the urban cafés we were working at. This decline had already caused lay-offs for refugees. However, cafés represented the only area of employment available for LGBTI+ refugees. And even then, they were placed in the kitchen at cafés to limit their visibility. We started the pandemic with these already emerging problems.”

MULTIPLE DISCRIMINATION, PSYCHOLOGICAL PROBLEMS:

All these rights violations brought along psychological problems. Another LGBTI+ refugee relates their experience during the pandemic as follows: *“There was a thousand-fold rise in psychological problems. Of course, everybody got affected severely by the pandemic; but LGBTI+ refugees, sex workers, and those infected with HIV were affected even more. This period was marked by a surge in the instances of suicide attempts. Because you are stuck at home. You are not working. You have ample time to think about your problems. And then, you end your life. Hunger was what got to us the most. Put the rent aside. Some of my friends are literally at the starvation line. It is rather difficulty to describe it. Perhaps, we are at the point that marks the end of humanity. I shouldn’t forget to add that Ziraat Bank announced that refugees would not be able to open a bank accounts in any way. There were already a limited number of banks offering accounts to refugees. Privat banks, while normally offering bank accounts to everyone, refrained from opening one for any person under International Protection or temporary protection. Türkiye İş Bank, on the other hand, would only open bank accounts for individuals with a good command of English or Turkish. During the pandemic, refugees suspected to have COVID-19 were provided with healthcare services free of charge. In our city of residence, there were no LGBTI+ refugees in my circle with any suspicion of having COVID-19, but we were all anxious about it. Our friends that were on psychiatric medication encountered problems and couldn’t access medical appointments. There were issues in access to medication, which were later solved. We were not informed of any discrimination against LGBTI+ refugees visiting hospitals for suspicion of COVID-19 in our city of residence, but we heard of instances of discrimination in other provinces.”*



17TH MAY INTERNATIONAL DAY AGAINST HOMOPHOBIA, BIPHOBIA, AND TRANSPHOBIA (IDAHOBIT) GATHERINGS FOR LGBTI+ REFUGEES-VI¹⁴

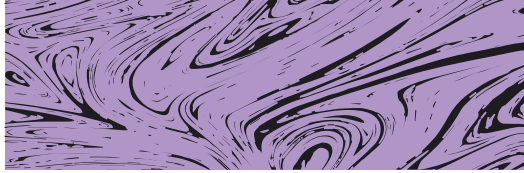
EVENT ON DAY 1¹⁵

Att. Hayriye Kara: First of all, I would like to start by thanking HEVI LGBTI+ Association for giving me this opportunity. My name is Hayriye Kaya. I have been working in the field of the rights of LGBTI+ refugees since 2010. I am also an attorney by profession. I will talk generally on legal rights. I will explain the most significant amendments made to the Law No. 6458 on Foreigners and International Protection in December 2019 and their practical implications. Then, I would like to answer the questions of participants on matters they would like to see highlighted or they are most concerned about. I believe that it will be more efficient to talk about the points of curiosity for the participants.

The most significant impact of the amendments of 2019 comes from the amendments concerning the right to health of refugees under International Protection. These amendments do not apply to Syrians under Temporary Protection. However, refugees are able to have health coverage for a period of 1 year following their registration regardless of their status, be it as an applicant for International Protection or a holder of conditional refugee status. If a person under International Protection is not paying their insurance premiums themselves, their active coverage ends after one year and from then on, they cannot benefit from health coverage. Those wishing to have continued coverage must apply to their Provincial Migration Management Office with a written petition and then receive a positive response to their application. This does not apply to Syrians living in Turkey under temporary protection. They are able to be covered even if they cannot pay

¹⁴The sessions concerning LGBTI+ Refugees and Relevant Rights Violations, held under the 17th May IDAHOBIT Gatherings for LGBTI+ Refugees-VI events and addressed in the present report, were prepared with support from KAOS GL Attorney Hayriye Kara, a legal expert specialised in refugee law and more specifically the law on LGBTI+ refugees. We would like to thank them for their support.

¹⁵The event was held online in Arabic and Turkish on 15.05.2021. The focus group of the events consisted of Syrian refugees and LGBTI+ Refugees who had emigrated to Turkey from other Arab countries.



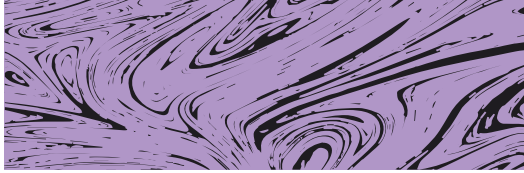
their premiums. Children under Temporary Protection and Persons with Special Needs are able to have coverage even after 1 year. Who are Persons with Special Needs? The Law on Foreigners and International Protection defines Persons with Special Needs as survivors of torture, sexual assault, or psychological or physical violence.

The Law prioritises Persons with Special Needs in terms of available rights and services. Specifically, LGBTI+ individuals can be considered under the definition of Persons with Special Needs. The most positive one among the December 2019 amendments to the Law is the change in the article that regulates deportation. Unfortunately, however, there are differences between the legal provisions in place and the relevant practices.

DAY 1 - PARTICIPANTS' Q&A:

Is Syrian nationality a precondition for an asylum application? I am Lebanese and have been staying in Istanbul illegally for 8 months. I cannot return to Lebanon due to my gender identity and I want to stay in Istanbul. Can I seek asylum in Turkey and continue living in Istanbul? I got married and then divorced in my country and I have 2 children. My children also live with me in Istanbul. Would me having 2 children be relevant for my application to live in Istanbul? In the meantime, my children go to school to learn Turkish, and I work here. What would be the positive or negative impact of these factors on my asylum application?

- In order to seek asylum, you need to have travelled to the country where you want to seek asylum. You need to be in the country where you wish to apply for asylum. If you are in Turkey now, you can seek asylum in Turkey, but not in Germany.
 - Turkey is unique in the world with its terms and conditions for asylum. 1951 Geneva Convention is the first treaty that regulated the right to asylum by defining the legal status of refugees.
 - According to this convention, any person who is unable to avail themselves of the protection of their country of citizenship or residence or who has been persecuted or is in fear of persecution on grounds of their race, religion, nationality, membership of a particular social group or political opinion may seek asylum.
-



Turkey is a State Party to 1951 Geneva Convention and also to New York Protocol signed in 1967 in conjunction with the convention.

However, Turkey maintains a geographical limitation to the convention; accordingly, the country does not award the refugee status to persons from countries other than the member states of the European Council.

To refugees from countries other than the member states of the European Council, Turkey says, “I will accept and evaluate your application for asylum and grant you a Conditional Refugee status. I will allow you to remain in Turkey until you are resettled to a third country where you can reside permanently.

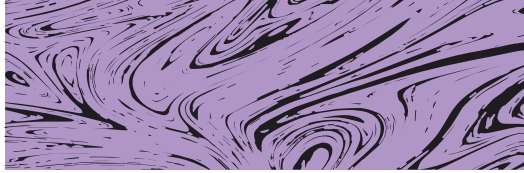
Considering these conditions, my answer to your question is as follows: You can apply for asylum in Turkey. Upon your application, you will attend an interview, where you will be asked some questions addressing such matters as your grounds for asylum, why you have left your country, if you have a well-founded fear of persecution, or if you have been persecuted in your country. The answers to all these questions posed during the interview are included in the evaluation.

The end of the evaluation process marks the beginning of the process for resettlement in a third country. However, the third countries concerned are not obligated to accept refugees from Turkey. Even if your procedure in Turkey has been concluded, the third country that will accept you, another refugee, will carry out its own procedure before granting you entry to its territory.

Therefore, this country doesn’t have to share a border with Turkey. However, there is one statement we commonly hear here: Asylum is a right, but resettlement is not. There are different dynamics involved in the resettlement process. Countries may or may not set a quota available for refugees. There is an on-going refugee crisis in Turkey now. This is one of the most severe refugee crises encountered in the world. Currently, there is only a limited number of resettlement procedures ongoing and there are major differences among countries with respect to these procedures.

LGBTI+ individuals can seek asylum under the criterion of “Membership of a Particular Social Group” on grounds of their actual or possible persecution in their countries of either citizenship or asylum.

The procedures should be based on the principle of statement. There cannot be any attempt to seek proof for sexual orientation or identity, but we do hear about such problems. In practice, applicants are requested to provide proof, but such a practice is unacceptable, and the principle of statement must apply.



The asylum application of any LGBTI+ individual must be evaluated not on the basis of their sexual orientation and gender identity, but with consideration for their actual experience of or well-founded fear of persecution.

This should be the rule of thumb for the post-application interview, as well. There is also another point to note here: This has not happened in Turkey yet, but the High Court in the United Kingdom issued a very important ruling. Owing to this ruling, the United Kingdom recognises Genderless and Queer identification as valid grounds for asylum. The applicant does not have to identify themselves as LGBTI+. Being queer or genderless is also a factor giving rise to a threat of persecution and constitutes grounds for asylum. This development represents not a legal achievement, but a projection of an achievement of the movement onto the law. Everything I have said so far applies to those under International Protection. All Syrians are under Temporary Protection and cannot apply for International Protection.

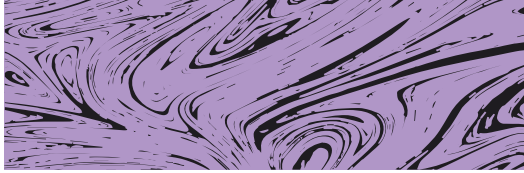
There is an entirely separate procedure in place for the resettlement of Syrians. There are 62 provinces where individuals under Temporary Protection may reside and currently, Istanbul is not included in these provinces.

According to the law, you may apply for asylum in Istanbul, but cannot stay there. You need to have a valid reason to stay in Istanbul. I don't think that the education your children are receiving in Istanbul will constitute a valid reason for your continued stay in this province. However, if you have a work permit and your workplace is in Istanbul, you can apply to stay and be registered in Istanbul on grounds of your employment. This said, your employment in Istanbul without a valid work permit will not be accepted as grounds for your continued employment in this province.

Is there a different practice in place in the provision of health coverage to refugees over the age of 65?

- Refugees can pay their own insurance premiums or take out private health insurance; there is no legal obstacle here. What we are focusing on are the problems encountered by refugees without the economic means to pay their premiums. If a refugee can pay their premiums and have the economic means, they can be treated at any hospital of their choosing in Turkey. The law does not impose any age limitation for insurance activation or status for those over the age of 65. Moreover, in case of a person over the age of 65 with special needs, their insurance coverage may not be terminated as dictated by the law. If, however, a person that do not qualified under the definition of Persons with Special Needs has a chronic illness and needs continued





treatment, they will need to lodge a written application for these services. They will then be subject to the same process.

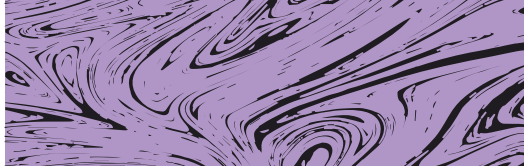
I want to have a work permit as a refugee; how can I get one? Associations in Turkey are entitled to employ 1 refugee after recruiting 5 employees from Turkey and unfortunately, we are left without employment. How can I start working officially with health coverage?

- What I will say applies to Syrians under either International Protection or Temporary Protection. You can apply for a work permit 6 months after your application for International Protection or Temporary Protection. The ministry has an online application process in place. If you are going to start up your own business, you lodge the application directly yourself, but if you are not going to have your own business and instead, be employed by someone else, the application should be lodged not by you, but your employer.
- Once an employer lodges the application with the ministry, the ministry evaluates this application and then, notifies the applicant with a positive or negative response. And an employer needs to employ 5 citizens of Turkey in order to be able to employ one refugee. This application process takes months. The application process on the system is generally rather difficult and takes a long time. What is more, employers generally refrain from applying for a work permit so that they can employ refugees without due registration and for lower wages. Even when they do apply for a work permit, it takes months before a work permit is issued. Therefore, it is almost impossible to get a work permit and I consider this as a deliberate policy of the state. Foreigners residing in Turkey do not have to obtain a work permit if they wish to work in agriculture and animal husbandry. Those that want to work in such jobs may apply to the Ministry of Labour to be granted an exemption from work permit and work without one.

Transgender women living in Turkey still have their gender assigned at birth on their passports even after the gender affirming surgery. Following my gender affirming process and reassignment in the future, would the contrary indication on my passport be an obstacle to my marriage?

- In Turkey, there is a single procedure for not only refugees, but for all individuals that are not citizens of Turkey. Starting the gender affirming process is a constitutional right in Turkey and there is no requirement concerning citizenship. Once an individual has obtained the permit from a court, satisfy the conditions of the permit, and complete the entire process, the gender part on their ID is changed accordingly, but this change





is not affected on the passport, because this change can only be made by the country that has issued the passport. Once the gender part on the ID issued in Turkey has been changed for an individual, they may get married in Turkey. This means that there would not be any issues with respect to marriage even if the passport specifies a different gender. This procedure applies only in Turkey and every country has its own internal legal procedure in place. In Turkey, the gender recognised by official institutions will be the one specified on the ID issued by the relevant Provincial Migration Management Office. The gender specified on the passport would not be significant.

I live with my family and am exposed to a lot of violence in the hands of my family due to my gender identity. Can I receive protective support for my situation from any organisation or association in Turkey? I would like to get in touch with any organisation that can offer support, because I live a very hard life with my family.

- In legal terms, you can lodge a criminal complaint and request protection. LGBTI+ associations in Turkey can offer help with this process. LGBTI+ associations in Turkey can provide legal aid and psychological support and there are also solidarity networks that do the same. For your situation, you can apply to HEVI LGBTI+ or Kaos GL Associations.

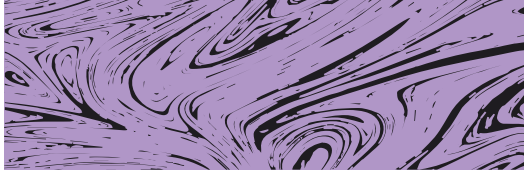
I'm Iraqi; I come from Baghdad. I have been living in Istanbul for about 1.5 months. I wonder, what types of support are available from LGBTI+ organisations and UNHCR for refugees living with HIV?

- Since you are Iraqi, you may apply for a conditional refugee status and remain in Turkey as a conditional refugee until your resettlement in a third country. HIV treatment and medication are covered by Turkey free of charge for a period of one year following registration. Additionally, there are a number of associations both fighting discrimination against individuals living with HIV and offering advice on HIV. These associations both support individuals in their access to treatment and offer guidance on the type of process that needs to be followed by refugees. These associations are sources of psychosocial counselling and peer-to-peer mentoring for individuals living with HIV.

What is the difference between the touristic residence permit and the refugee status?

- If you have entered Turkey on a tourist visa, you may remain in Turkey for 90 days at most. During these 90 days, you can visit anywhere in Turkey. This visa grants





you a permit to travel. You may also enter another country as long as you have your passport with you. You are able to exercise other rights during this period, as well. However, if you have entered the country as a refugee, you do not have a permit to travel. If you have come here as a refugee but entered another country later, Turkey will issue a deportation order against you. There are, however, other rights that are accessible to you depending on your refugee status such as the right to health or the right to education. Additionally, you will have to remain in the province of application for asylum.

ASAM was said to offer support only to Syrians. I approached ASAM for an application and they told me, “You are Iraqi; we cannot offer support to Iraqis”. Are there any other associations or organisations like ASAM in Turkey?

- There are a wide range of organisations involved in the field of refugee rights in Turkey. There are also some organisations working for the LGBTI+ community. HEVI, Kaos GL, Red Umbrella, and Positive Living are the organisations specialising in LGBTI+ refugees. ASAM does offer support not only to Syrians, but also to all refugees. Their areas of focus, however, vary on the basis of available resources and their specific projects. Associations focus on Syrians at certain times and on survivors of sexual violence at others. These areas of activity are subject to change. There are other organisations than ASAM that work for LGBTI+ refugees. When applications for asylum are concerned, ASAM is able to receive applications for asylum neither from Syrians nor from nationals of any other country. Applications for asylum are to be lodged at governorates and Provincial Migration Management Offices.

How can I lodge an application for the conditional refugee status at the Migration Management Office?

- As you have lodged an application for International Protection and obtained your ID card, you are already an applicant. You will be taken in for an interview, as a result of which your application will be assessed with a positive or negative decision. A positive decision will mean that you will be granted a conditional refugee status according to the law. In practice, however, you can report your sensitivities to protection desks and say, “I would like to have my interview. I have my sensitivities for resettlement; please add me to the line” and in this case, there are certain provinces where a priority may be granted. These steps are to be taken in line with a review of the practices in your province of residence, which can be secured by contacting such associations as HEVI LGBTI+ and Kaos GL. We cannot say anything certain under the law due to the widely varying practices.





When the administration has issued a decision on you and asked you to sign a document, you must be provided with an explanation of whatever you are expected to sign in your own language; this is your legal right.

If you are forced to sign a document without such an explanation, you can add an annotation to the document before signing, saying “I do not know what I am signing at this moment; if there is any procedure against me involved, I request an attorney. If there is a negative decision against me involved, I would like to object to that decision”. If a negative decision has been issued against you, you have the right to be represented by an attorney. If you do not have the means necessary to cover an attorney’s fees, you may request the relevant bar association to appoint an attorney for you free of charge. This is your right and once you have demanded to exercise it, the relevant official must start the procedure entailed. Try to present your request in writing and obtain a document registration number in return; if you are not able to, you can write this request down on the document you have been asked to sign. All of these will ensure that your request has been submitted in writing, giving those that will offer you legal aid a better hand and strengthening your hand before the court. A negative decision against you may be submitted to you in person or posted to your address. If there is nobody at your residential address whom it can be delivered, it will be rerouted to your mukhtar’s office. In any of these 3 cases, the decision will be regarded as having been delivered to you and the date of such notification will be the beginning of the period where you can lodge an objection to the decision. This is important, because if you do not lodge your objection until this deadline, the court will not review your application and you will lose your rights. For this reason, the date of notification is paramount.

Please be very careful with this period if you wish to receive legal aid. The address you have notified to the Provincial Migration Management Office of your registration will be your official mailing address. If your address has changed since your registration, you will need to notify the Provincial Migration Management Office of this change. This is your obligation. If you no longer live at the originally registered address and you are absent from the address when a decision on you is delivered, this decision will be regarded as having been legally delivered to you once handed over to the mukhtar. For this reason, if you live at a different address than that you have registered initially, please notify the Provincial Migration Management Office of your change of address. If it is impossible to do so in a short period of time, visit your mukhtar from time to time to check your post. Unfortunately, there are a large number of practices in place that are illegal and cause rights violations. Specifically, we witness a lot of refugees being deported illegally. Therefore, if you have or any of your friends or family has encountered any situation that requires immediate intervention such as a deportation decision, contact legal aid centres under bar associations and non-governmental organisations involved in this field immediately. Contact HEVI or Kaos GL on matters of relevance to LGBTI+ refugees. If you cannot contact them, make sure that a friend or a relative does so. When you mobilise certain networks, you may not necessarily reach a positive result; nevertheless, when there is a follow-up of the relevant processes at least, one does achieve positive results. These are of vital importance, especially when it comes to deportation.



A PARTICIPANT'S EXPERIENCE

I read a sentence somewhere and I liked it a lot: "Nobody will help as you can." And this statement does hold true. We, LGBTI+ refugees, ask associations to help us; it is our right to do so. However, we also need to consider what we are doing ourselves. We always hope that associations find us and help us. This is not right; we should seek out these associations and claim our rights. If these associations are there for the LGBTI+ community and we are LGBTI+ individuals, we need to take it upon ourselves to approach these associations and claim our rights. Yes, we suffer from a language barrier, and we do have other issues, but these associations also encounter difficulties in finding us, LGBTI+ refugees. While they try to find us, we need to try to find them. I would also like to state that there is discrimination among refugees, especially Arab refugees in Turkey. Refugees discriminate one another, labelling each other as Syrians, Moroccans, Iraqis, and Egyptians. This is extremely dangerous; I want this to end as a matter of urgency. We mostly request financial aid from associations. I don't want financial aid; I want a job. I would rather learn how to earn 1 lira than be given 1 lira. I want to earn my 1 lira with whatever I have learned to do.



EVENT ON DAY 2:¹⁶

Att. Hayriye Kara: What does International Protection mean in Turkey? Registered applicants for International Protection have certain rights and assume certain obligations in Turkey. My presentation will focus on these rights and obligations. However, we see a series of discrepancies between what is written in the law and what is done in practice. I will continue my talk with references to the types of problems we encounter in practice due to these discrepancies.

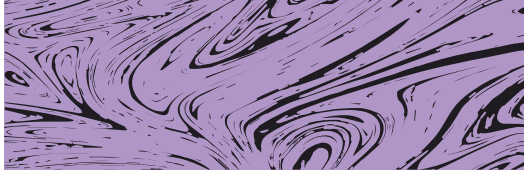
Once you have lodged an application for International Protection, you are given certain rights and obligations. There are obligations you will need to fulfil and rights you will be able to exercise during the time between your registration and your departure from Turkey. The Law on Foreigners and International Protection was amended significantly in 2019. I will touch upon these amendments.

There were some amendments effected in December 2019. One of the major adverse amendments to the law was related to health coverage, i.e., the exercise of the right to health. All applicants, excluding minor applicants for International Protection and Persons with Special Needs, are able to have health coverage for 1 year following their registration. Their health coverage will be deactivated at the end of 1 year and they will need to apply to the relevant Provincial Migration Management Office and receive a positive result to have it reactivated.

Who are Persons with Special Needs? The law offers a specific definition for Persons with Special Needs. Accordingly, survivors of torture, sexual assault, or psychological, physical, or sexual violence fall under this definition of Persons with Special Needs. The law prioritises Persons with Special Needs in the exercise of rights and enjoyment of services. What is more, Persons with Special Needs are exempt from the deactivation of health coverage after 1 year. However, any person outside the definition of Persons with Special Needs must apply for continued health coverage and receive a positive response to their application.

This situation represents one of the most common problems we run into in practice following the 2019 amendment, because refugees in Turkey lack the financial means to pay their own insurance premiums and it is impossible for them to obtain a work permit to secure a job with health benefits.

¹⁶The event was held online in Farsi, Turkish, and Kurdish on 06.05.2021. The focus group of the events consisted of Iranian and Kurdish LGBTI+ refugees.

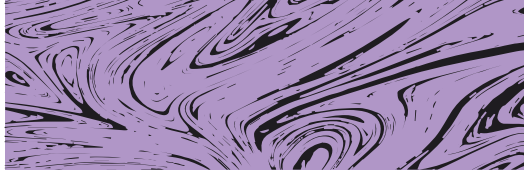


One of the major positive amendments effected in 2019 concerns the article regulating deportations. However, there are also certain adverse aspects to this amendment. For instance, the period allowed for any objections to a deportation decision used to be 15 days before the 2019 amendment, which reduced it to 7 days. This is an example to the problematic perspective the Republic of Turkey assumes with respect to human rights. In fact, any request to reduce the period for objections from 15 days to 7 days by itself represents a rights violation and is, in fact, a request to deport refugees on a moment's notice.

DAY 2 - PARTICIPANTS' Q&A:

I was taken in for an interview at Eskişehir Provincial Migration Management Office in 2019 and thereafter became a conditional refugee. Then, I called the United Nations and explained to them that I was a conditional refugee wishing to be resettled in a third country. The response I got was “Yes, you have become a conditional refugee, but that doesn’t amount to much. You will need to wait before your resettlement to a third country”. Recently, Eskişehir Migration Management Office has called me in for an interview. But I told them, “I am a conditional refugee already. Why the second interview?”. In their response, they said that the previous interview was a preliminary interview. My ID card identifies me as an international conditional refugee, and I have an acceptance from the United Nations. Despite all that, why am I called in for another interview and why am I not resettled in a third country?

- A preliminary interview is one that does not involve any detailed conversation. A preliminary interview is where ID information is retrieved, and more information collected on the grounds for application and the possible consequences of refoulement. The part that matters is the status determination interview that follows the preliminary interview. This interview takes longer as it gathers detailed information on your grounds for application. Your interview has been done and you have been granted your status. At this point, I don't think that any further procedure will have a significant impact on your conditional refugee status. Perhaps, they requested a second interview to obtain new information or to update your already registered information. You can contact the Provincial Migration Management Office for more information, as these calls are, in fact, quite common. There are different practices



and different reasons for such calls in different provinces. For this reason, it is best to ask the Provincial Migration Management Office to get accurate information about why you have been called in. I don't think it will amount to anything negative. But let's say that there has been a negative decision; once you have received the decision, contact a non-governmental organisation without delay. This can be the Red Umbrella or HEVI LGBTI+ or Kaos GL. At least, they will be able to make sure that an objection is lodged against the decision before the deadline. If we miss the deadline, the objection will not be taken into review. Nevertheless, I don't think that there will be any issue. The right step for you would be to ask Eskişehir Provincial Migration Management Office for more information.

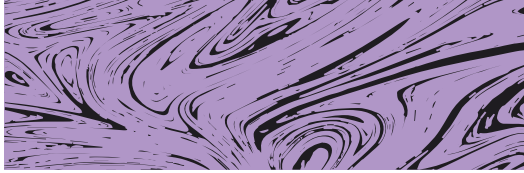
I am a transgender woman. I have a health status report from a hospital in Turkey that certifies my status as regards the gender affirmation process. I have also applied to the Provincial Migration Management Office with my report for the reactivation of my health coverage. Do I need to obtain a new report every year to have my ID changed?

- Currently, committee reports are not issued for a definite period of time in Turkey. These reports are issued for an indefinite period; this is the case for health status reports. If, however, the Provincial Migration Management Office requests another health status report, you can go to a hospital to obtain it. But they may not request it. You have already submitted your committee report. You don't need to submit this report unless you want to. It depends on the decision of the Provincial Migration Management Office to request the report or not.

I have been living with my partner in Turkey for 3 years. I am registered with the United Nations and the Provincial Migration Management Office. I was called in for a preliminary interview at Eskişehir Provincial Migration Management Office about 3-4 months ago and the interview took 4 hours. But they didn't tell me anything. The only thing they said was, "We are preparing a report on what you have told us, and we are sending your report over to Ankara Provincial Migration Management Office; they will, in turn, send it over to the UNHCR and United Nations". Then, they said, "You are done here at Eskişehir Provincial Migration Management Office", but they are yet to change my ID. And I am still not a conditional refugee. Why is that and what should I do?

- Yes, under normal conditions, once the Provincial Migration Management Office has conducted your interview, they prepare a report enclosing the interview minutes and the interview form and send this over to the General Directorate of



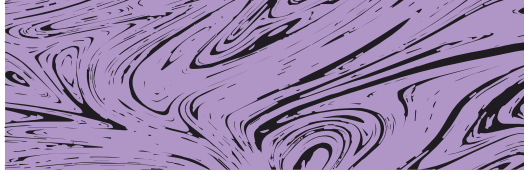


Migration Management for evaluation. This evaluation process results in a positive or negative response. Considering the COVID-19 process in Turkey on top of that, you are legally entitled to have an interview within 1 month and to receive the result within 6 months following your application and registration. However, the practices in place with the General Directorate of Migration Management do not observe these time frames. Taking into account the COVID-19 process, 3-4 months is not a very long time to wait in the status determination – your application is under evaluation. The Migration Management Office is legally obliged to notify you of the result of your application, be it negative or positive. Unfortunately, there is no Website that allows you to track your application. You can apply to the Provincial Migration Management Office to find out about the current developments in your application process. There is a lot of misinformation, leading people to believe that they can track their application with the United Nations and/or the UNHCR. But this is, as said, misinformation. The right way to check the result of your application would be to ask the Provincial or General Directorate of Migration Management.

I applied to Osmangazi Hospital Commission about 5-6 months ago and got my approval signed by 6 professors. And they told me, “You can use this certificate to have your mastectomy. You may be requested to pay 2-3% of the fee and this fee is in the discretion of your attending physician. Some physicians do not request any fee”. Then, I applied to the plastic surgery department of Osmangazi University, and I received a proforma invoice at the time of my application. The proforma invoice was for 5620 TRY. Why was I charged this fee despite my health coverage? Then, I called the Social Security Institution and told them about my case. They said, “Osmangazi Hospital may have requested the fee due to its status as a Research Hospital”. And I had my surgery. I barely raised the surgery fee and paid 5620 TRY for it. I paid 6550 TRY in total, including wound dressing and bandage fees. Yes, I do have health coverage, but what good is it and why are we faced with such situations?

- Under normal conditions, the SSI reimburses every fee arising from any operation in the gender affirming process. However, these operations are not available at every hospital or performed by every physician in Turkey. Private hospitals do offer the process, but it should be followed at a state hospital in order for the relevant fees to be covered by insurance. However, some physicians may request what is called “knife money”, which gives rise to additional fees to be paid by the applying individual. You can find more detailed information in the “Refugees’ Right to Health and Discrimination” report published by HEVI LGBTI+ Association.



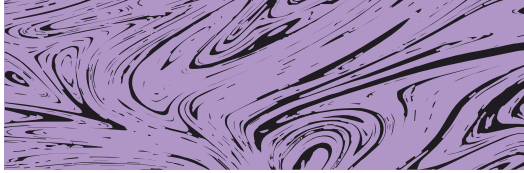


I have been living in Uşak, Turkey for about 5 years. It is rather a small city, and I can't find a job and I can't work here. For this reason, I can't make a living. I approached Uşak Provincial Migration Management Office for a transfer to another city. I wanted to apply for a transfer, but they said, "You can stay in Uşak". They said, "You can be transferred to another city only if you have a chronic illness and can't access the necessary healthcare services". "Or" they said, "you can be transferred if you have a 1st-degree relative in another city or are under a significant threat against your life here. Or you can be transferred to another city if you have a job application approved in that city". They said, "Unless you meet one of these criteria, we cannot grant your request for a transferred, because you will not be allowed to leave". All I want is to move away from this city, because it is rather small, and I can't find a job here. I want to move away from this small city. In fact, I did go to another city illegally. Then, however, I learned that if I were to cross the border of Uşak, I would be deported. I got scared and came back. I currently live in Uşak. I can't work here. I want to work. What can I do to go to another city?

- At the moment, there is rather a difficult process to follow for interstate transfers. This process is carried out entirely through the General Directorate of Migration Management. They check the criteria you mentioned with every application, be it lodged verbally or in writing. You can lodge an application in writing to declare your demand for an interstate transfer along with your justifications. Nevertheless, I don't think that they will accept unemployment as a well-founded ground for a transfer. It seems more reasonable for you to present justifications based on your identity, rather than your unemployment. It will be more reasonable for you to state that you have had identity-related difficulties on various grounds including the conservative structure and limited size of the province, the threat you are faced with due to your sexual identity, or your inability to exist in social spaces in the province.

I have been in Turkey for about 4 years. When I first came here in late 2017, I was 22 years old. I was initially registered with the United Nations in Ankara and then, I was assigned to Eskişehir. I currently live in Eskişehir. When I first arrived here, I was told that I had entered Turkey and been registered when I was 15. I said no and I was asked to sign on. I had signed on at the time of my registration. I went to the Office about 1 year ago and they told me, "We have a problem with the machinery. You may not be able to sign on" due to the COVID-19 pandemic and added, "Leave your phone number. We will let you know". So, I left them my phone number and came home. Then, I went to the Provincial Migration Management Office to renew my ID card and learned





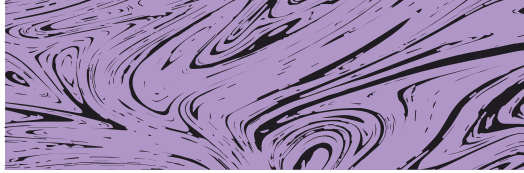
there that my dossier had been closed, the reason being my failure to show up to sign on. I learned also that a deportation decision had been issued against me. I had hard days. I sought help everywhere, but there was nobody to help me. I went to the court, too. Then, IKGV (Human Resources Development Foundation) helped me. We lodged another application for me this time with a new dossier, where my time of arrival in the country was registered as 2020. Then, I approached the Provincial Migration Management Office and they said, “You have recently arrived in the country and so, we cannot call you in for an interview”. I encountered homophobia at the Provincial Migration Management Office, as well. I am currently 27 years old. I have been here for 4 years and am yet to be called in for an interview. I would like to add that my application has been dismissed 2 times by courts in Turkey and I was fined 2600 TRY due to the negative result. I didn’t pay this fine, as I didn’t have any money. And the Provincial Migration Management Office is aware of my situation, and I had the same experience in Eskişehir, too. And I am registered with a hairdressing course here and I attend my classes daily. I was called in to sign on every day and I was fined once again because I failed to show up – I didn’t pay this fine, either. I also had a problem due to my application having been lodged anew in 2020.

- At the moment, you have lodged your application and you have your ID card. In this case, the Provincial Migration Management Office has to conduct an interview with you. There are, however, differences among the practices of individual provinces. You can apply to the Provincial Migration Management Office with information on your situation and your sensitivities. Some provinces do prioritise such applicants with respect to the interview process. The fine of 2600 TRY is the attorney’s fee that is incurred due to the dismissal of action. If you do not pay this attorney’s fee, your wages, if any, may be seized. It is also observed at times that such unpaid fines lead to problems in obtaining the exit warrant as required before resettlement in a third country. They may create problems for anyone wishing to exit the country without paying off their debt. What is more, as time passes, there is a legal interest accruing on this attorney’s fee.

I want to be resettled in a third country. However, my employer at my current workplace here said that they would obtain a work permit for me. If I am granted this work permit, would or would not this be an adverse factor for my dossier in my resettlement in a third country?

- Your resettlement in a third country is based on the worst-case scenario. Would or would not obtaining a work permit in Turkey be an advantage in resettlement





in a third country? I cannot say anything certain for this question but having a work permit in Turkey has a significant effect on your living standards in Turkey. Leaving Turkey and being resettled in a third country may not always be as easy and straightforward as expected. There are some applicants who have had to wait 3 years or even 7-10 years. For this reason, it will be beneficial for you to obtain a work permit in order to improve your living conditions in Turkey. Obtaining a work permit is also very important specifically in terms of your rights in Turkey.

We frequently encounter homophobic, transphobic, and discriminatory behaviours at Provincial Migration Management Offices. How can we report such behaviours?

- Unfortunately, complaints regarding homophobia, transphobia and the like are handled with impunity in Turkey. Nevertheless, it is possible to address such behaviours with a written letter of complaint to the General Directorate of Migration Management or a call to 157 YIMER (Foreigners' Communication Centre). This centre offers advice in 9 different languages. You can use this centre not only to get advice, but also to lodge your complaints. You can leave your complaints anonymously at this centre. In other words, you may withhold your real name and surname in your complaint. Let's not forget, however, there may be issues in reaching 157 YIMER.

I have been living with my partner in Turkey for 3 years. We have applied to multiple associations to be resettled in a third country together. However, none of these associations came forward to help us. The UNHCR assigned me to Spain for my resettlement, but my partner had a negative decision for their application for resettlement in a third country. My partner has thyroid cancer and is under treatment. The pandemic has hindered their treatment, though. They had the first dose of the COVID-19 vaccine, and we are waiting for the second dose. I receive financial support from the United Nations, but my partner does not. If I leave, when will my partner be able to join me? Is there any organisation that may offer support with this?

- In Turkey, a partnership is unfortunately not considered an official union as it does not constitute an official marriage. And, for this reason, partners are not handled on a single dossier, but on separate dossiers. The UNHCR used to resettle couples in such partnerships in the same country, but this is not the case now, unfortunately.





I was called in by the Provincial Migration Management Office for the preliminary interview 2 years ago and they said, “We will call you in for an interview in about 3 months”. But I am yet to be called in for an interview. I visited the Provincial Migration Management Office this year to renew my ID. But they said, “We cannot renew your ID as you haven’t been called in for the interview”. What is more, I had a call from the United Nations 2 months ago and had a phone interview with them. An interview has been held for my dossier. My dossier doesn’t specify my future resettlement to any third country. It just states that the dossier is under protection.

Att. Hayriye Kara: I can’t say anything about resettlement in a third country. Resettlement is a process that is independent from the laws in Turkey and depends on the laws of the third countries concerned. We are told that there are a series of sensitivities concerned in the preparation of the lists. And we are told that there are a large number of refugees awaiting resettlement at the moment, but the quotas allowed by countries accepting refugees from Turkey are too low and since only a limited number of refugees are able to be resettled, resettlement is only offered to those with significant vulnerabilities. These are the dynamics reported to us as those affecting this process. As we are thus excluded from the resettlement process, I will unfortunately not be able to offer a very detailed response. We, as Kaos GL, too, receive myriad questions on resettlement. We also receive written requests for resettlement in various languages. In response, we send these over to the UNHCR directly without taking any part in the process. We say that they should follow up these processes and we are not in any position in the dynamics that would warrant our involvement. And there is a lot of misinformation concerning resettlements. Please, don’t believe everything you hear. In Turkey, it is impossible for a lot of organisations including Kaos GL to be involved in this process.



LGBTI+ REFUGEES' DECLARATION OF DEMANDS¹⁷

- 01 The ever-present language barrier hinders LGBTI+ refugees from taking part in activities and accessing training for LGBTI+ individuals. We DEMAND that in future activities and publications, the principle of inclusion be upheld with wider spaces allowed to LGBTI+ refugees and the principle of polylinguism be upheld with the integration of additional languages including Arabic, Farsi, and Kurdish.
 - 02 We DEMAND LGBTI+ associations that do not have specific policies for LGBTI+ refugees in place to develop “policies inclusive of LGBTI+ refugees” and to include us, LGBTI+ refugees, in such policy-making processes.
 - 03 We DEMAND LGBTI+ associations, initiatives, and organisations to allow space to LGBTI+ refugees in decision-making mechanisms.
 - 04 We DEMAND LGBTI+ associations, initiatives, and organisations to allocate funds in their budgets for activities targeting LGBTI+ refugees and to include us, LGBTI+ refugees, in this process.
 - 05 We DEMAND that event and meeting venues available to the LGBTI+ community be made accessible to LGBTI+ refugees after the pandemic and LGBTI+ refugees be included any joint activities held in safe spaces for the LGBTI+ community during the pandemic.
 - 06 - We DEMAND LGBTI+ associations, initiatives, and organisations to offer support to LGBTI+ refugees for “LGBTI+ refugees’ efforts of self-organisation”.
 - 07 LGBTI+ refugees living with HIV are faced with HIV Phobia. We DEMAND that LGBTI+ refugees living with HIV not be forgotten and be included in any activities to be organised in an effort to counteract such phobia.
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08 The pandemic has isolated LGBTI+ refugees and even further and added to their invisibility. We DEMAND that LGBTI+ refugees be provided with access to free-of-charge psychological support in their own languages to be able to cope with the problems they face and that the already available, but limited services be expanded in scope.

09 LGBTI+ individuals are faced with relentless discrimination. For refugees, such discrimination is coupled with racism. We DEMAND that, in an effort to combat this multiple discrimination and other rights violations perpetuated in legal terms, access be provided to us to free-of-charge legal aid networks and to legal advice in our own languages (Arabic, Farsi, and Kurdish), and that the currently limited number of available services be increased.

10 The currently applicable working criteria for foreigners restrict the areas of employment available to LGBTI+ refugees and add difficulties to their work permit procedure. We DEMAND that all organisations with responsibilities in the designation of relevant criteria act as facilitators in the provision of further areas of employment for LGBTI+ individuals and, if possible, in the designation of quotas for LGBTI+ refugees in recruitment.

11 Transgender refugees living in Turkey are faced with violence. Transgender refugees find it almost impossible to access employment. They encounter issues in access to hormones, during the gender affirmation process, and even due to their names. They are forced to deal with these issues by themselves. We DEMAND that efforts targeting transgender refugees specifically be expanded and the currently available, but limited services be rendered more accessible to them.

12 - The problems affecting LGBTI+ refugees are invisible, or rather, ignored. On this ground, we DEMAND that a joint working group for LGBTI+ refugees be established at the national level in Turkey to include LGBTI+ refugees affiliated with LGBTI+ associations, initiatives, and organisations and campaigns be organised to address common problems.





13 Every person has the fundamental human right to protect their well-being. In this scope, we DEMAND the establishment of an international network for LGBTI+ refugees, led by the national working group in Turkey, to include us, LGBTI+ refugees, in social policy-making.

14 LGBTI+ refugees has been forced to wait in Turkey for years to be resettled in third countries. Such a long waiting period breeds restlessness and anxiety. We DEMAND that campaigns be organised to build a mechanism to pressure all competent public agencies and institutions of relevance to ensure that third-country resettlements be finalised as a matter of urgency without pleading the pandemic as an excuse and LGBTI+ associations, initiatives, and organisations take an active part in such campaigns.

15 We DEMAND that contacts be made, and meetings be held with the Migration Management Authority and the United Nations High Commissioner for Refugees (UNHCR) to prevent discrimination and LGBTI+-phobia against LGBTI+ refugees.

16 We DEMAND that specific events be organised on alternative social media platforms such as YouTube and podcasts to address LGBTI+ refugees and their problems and support be extended to us, LGBTI+ refugees, wishing to be involved in such events.”

¹⁷This part was prepared by LGBTI+ refugees gathered under 17th May IDAHOBIT Gatherings for LGBTI+ Refugees-VI organised on 15th-16th May 2020.
<https://kaosgl.org/haber/multeci-lgbti-talepler-bildirisi-bes-dilde-yayinda> <https://www.gazeteduvar.com.tr/multeci-lgbti-talepler-bildirisi-5-dilde-aciklandi-haber-1523679> (03.06.2021)



**REPORT ON RIGHTS VIOLATIONS AGAINST LGBTI+
REFUGEES DURING COVID-19 PANDEMIC**