

# New regulations pose greater risks to trans people in Turkey

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New changes from the Turkish authorities to the accessibility of hormones for trans people further threaten health and lives

On 20 November, the Turkish Medicines and Medical Devices Agency [announced](#) a new regulation that requires an e-prescription to access certain hormones used by trans people. The restrictions regulate access to hormones used mainly by trans masculine people as well as hormones used to treat diabetes. The two hormones under this new regulation used by trans women are also the same hormones used by cis women for birth control. This regulation therefore not only impacts trans people but also cis women and people with diabetes.

The new regulation exposes the pre-existing inadequacies in access of trans persons to healthcare services. While the regulation can be seen as an attempt to regularise the process of distribution and use of hormones, making the procurement and treatment safer for users, the Turkish healthcare system is extremely inaccessible for trans people, in particular as regards trans-specific healthcare. As a result, this new regulation will have severe consequences for trans people.

Currently in [Turkey](#) university research hospitals are the only hospitals that have specific gender transition councils which assess and provide a medical report for trans persons, which doctors then use to prescribe the necessary hormones. However, these hospitals are only available in 13 of the 81 provinces (usually those with major cities), resulting in those trans people living in rural areas having to travel to one of these 13 provinces. The journey time is usually long, and appointment availability is scarce, making such trips less affordable and accessible. For those who already live in major cities, it is still difficult to access the healthcare system as appointments are rarely available due to high demand – it can take several months to secure a first appointment. Subsequent appointments also have a similar waiting time. In total, it takes a minimum of six months to receive the necessary report for accessing hormone prescriptions. It is time and resource-intensive, and transphobia is often encountered along the way.

Hormones are a key part of trans-specific healthcare for many trans people – they impact not only physical traits but also frequently psychiatric health and wellbeing. For trans persons who have had their gonads removed, hormones are critical for good physical health, as stopping hormone therapy can lead to osteoporosis, among other things.

As a result, this new regulation will have severe negative consequences for the healthcare and mental health of trans people across Turkey, in particular trans masculine people and trans people in poverty. Many trans people will no longer be able to access these hormones, and some will even turn to unregulated pathways to procure them, which can result in health risks and exorbitant prices.

For such a prescription regulation to produce positive effects, the Turkish healthcare system needs to be restructured in such a way as to ensure that trans people can access healthcare in hospitals in all areas of the

country. Trans-specific healthcare needs to be more widely provided and understood so that the current high demand can be met, with medical professionals ensuring the right to health of each patient, without discrimination.

More broadly, Turkey should uphold the case law of the European Court of Human Rights on legal gender recognition under Article 8. It should introduce a new legal framework that is quick, transparent and accessible with no requirements for invasive surgeries, and wide access to trans-specific healthcare. It should comply with the World Health Organisation's 11th revision of the International Classification of Diseases which depathologises trans people in all areas of life.

#### **Recent incidents of limitations on the right to freedom of assembly for LGBTI people in Turkey**

On 20 November police blocked a demonstration to commemorate victims of transphobic violence in Ankara on the International Trans Day of Remembrance, and arrested four people, including a member of the Ankara Bar Association.

On 23 November police intervened in a demonstration by trans activists in Istanbul against the new e-prescription regulation, detaining 38 people. They were released after providing statements to the police.

On 25 November – The International Day for the Elimination of Violence Against Women – hundreds of people took to the streets in cities across the country, and were met with police repression in many cases. In particular, in Istanbul, the Governor's Office banned all protests and demonstrations on the specified date, and police interventions resulted in 169 arrests. All of those arrested have since been released, apart from two LGBTI+ people from Azerbaijan, who were taken to repatriation centres. Due to the severe conditions and ill-treatment they were subjected to, including being deprived of food and medications, they were forced to "voluntarily return" to Azerbaijan. One of them was an LGBTI+ human rights defender from Azerbaijan who immigrated to Turkey due to being at risk of arrest in their country.

In Turkey LGBTI+ people are [regularly subjected](#) to arbitrary detention (often with excessive police force) and charged for participating in public events, or for holding rainbow flags in the public space. Public demonstrations are frequently banned or postponed under the pretext of "national security", "public order", "prevention of crime", "protection of public health" or "public morals", with police and governors excessive powers. These practices which include vague limitations on public assemblies allowing for arbitrary interpretation, breach Turkey's own Constitution (Article 34) and the European Convention on Human Rights (Article 11) to which Turkey is party. Turkey should bring its practices in line with the ECHR and its own Constitution, halting arbitrary banning of protests and detention of participants.