REPORT ON HOMOPHOBIC AND TRANSPHOBIC HATE CRIMES AND INCIDENTS IN TURKEY IN 2013

by Kaos GL Association
in association with ILGA Europe

CONTENTS

1. Introduction 2
2. Key findings 6
3. Bias motivated violence against LGBT persons 9
   a. Legal situation of homophobic or transphobic hate crimes 10
   b. Homophobic or transphobic hate crimes and hate incidents 13
   c. General inferences - qualitative observations 14
   d. Quantitative findings based on violations 20
      i. Homicide and attempted killing 20
      ii. Extreme physical violence 22
      iii. Assaults 25
      iv. Damage against property 27
      v. Arson 28
      vi. Threats and psychological violence 28
      vii. Other incidents with bias motivation 33
4. Police and other law enforcement authorities 36
5. Annex 38
1. INTRODUCTION

The present report is an outcome of Step up reporting on homophobic and transphobic violence, a project supported by ILGA-Europe, the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association. The objective of the project was to empower European LGBTI civil society organisations to more consistently monitor and report homophobic and transphobic hate crimes and incidents.

To prepare this work, ILGA-Europe had developed a harmonised data collection methodology in 2012. The methodology builds on international standards and on the expertise gained in different past activities, such as the elaboration of European-wide submissions to the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) in view of its Annual Report on Hate Crime\(^1\) or ILGA-Europe’s participation to the Facing Facts! Making hate crime visible project.\(^2\)

Step up reporting on homophobic and transphobic violence was launched in 2013. ILGA-Europe’s Documentation and Advocacy Fund, with the support of the Government of the Netherlands, provided dedicated resources to 12 national and local NGOs in Bosnia and Herzegovina, Greece, Ireland, Italy, Latvia, Lithuania, Moldova, Poland, Portugal, Spain, Turkey and Ukraine. These NGOs were trained on the methodology previously developed by ILGA-Europe, and committed to apply it in order to produce comparable data.

Data collection and publication is expected to be developed on a more sustainable and professional basis in the future, thanks to the capacity building aspect of the current project. Following this pilot initiative, ILGA-Europe’s methodology will be made available to more European LGBTI civil society organisations.

Although the issue is a burning one that absolutely encompasses every social area and jeopardizes human rights and liberties of every social group within the country, Turkey still remains one of the very few Council of Europe’s Member States which do not recognize hate crimes (aka bias motivated crimes) explicitly and integrally within its national legislation. The same can be said of the situation of Turkey in the context of the Organisation for Security and Co-operation in Europe (OSCE), of which it is a participating State. Hence, any kind of political measure or projection is also absent for combating the grounds or for prevention

\(^1\) http://www.osce.org/odihr/108395
\(^2\) http://www.ceji.org/facingfacts/
against these kind of crimes.

Although some provisions of the current Penal Code mention "hatred" or crimes with social themes, they are all separate and inaccurate. The current legislation lacks a coherent set of political measures, legal provisions, administrative assignments, specific mechanisms and procedures addressing social, cultural and psychological aspects of these crimes. Prevention in particular is absent of existing policies. Therefore, the current legislation does not constitute a holistic normative approach, lack numerous standard elements of what should be a State's well-defined hate crimes legislation and omit the challenge against related aspects of the multi-layered phenomena.

Both legal and political measures for prevention, protection and documentation on grounds of sexual orientation and gender identity are some of the major shortcomings of this incomplete, outdated and rarely implemented legislation.

This deficiency should be pointed out and criticised from the point of view of the human rights criteria. The right holders, the victims - and the possible victims – should be effectively put at the centre, recognized, protected and strengthened by the State's affirmative action and effective remedies. Public agencies should systematically collect data. An integrated and permanent commitment of the State, that combines legal, political and cultural programs in collaboration with the private sector, civil society, the media and the academy, is essential for achieving the fight against the grounds of these social-political violations. On the other hand, as a matter of fact, Turkey is still far away from being a pluralistic and participatory democracy, where right holders from all social background are equally recognized and thus equally protected by the State.

Just like the other systematic omissions inherent to the State and the political culture, such as the absence of hate crimes and anti-discrimination legislation (that cover sexual orientation and gender identity as well), the lack of knowledge and the lack of surveillance of these incidents are of great concern. Like the concepts of sexual orientation or gender identity, this category of crime is not even known or well-understood among the judiciary members and the law enforcement system. So, on what ground does the Turkish State monitor, define and collect data and report these every year to the intergovernmental organisations like the OSCE remains a question mark.

The Ministry of Family and Social Policies should be a very active stakeholder to mitigate the widespread domestic and gender-based violence in particular. However, yet no positive
action has been undertaken by this administration, in terms of taking responsibility for defending LGBT persons inside the country.

The general public, the judges, the prosecutors and the police are quite distant and/or apathetic towards the issue too. To put it briefly, violent expressions of homophobia and transphobia are clearly observable among the members of the law enforcement, the judiciary, the Parliament and other public institutions. This is one of the underlying reasons why the Turkish legal-political system still cannot create jurisprudence on these crimes, despite the existence of some European Court of Human Rights rulings and other Council of Europe (CoE) recommendations. In addition to the CoE, various structures of the United Nations and the European Union have been repeatedly urging the Turkish authorities to recognize and overcome this issue.

In that context, it should be expected from the Turkish politics/politicians that they define the constraints, gaps and propose solutions accordingly. Unfortunately, the government have not given any hope yet to the LGBT people.

On the contrary, although they enacted many laws on human rights and equality, they refused or ignored various parliamentary questions and proposals coming from the opposition parties when it came to rights of LGBT people. They constantly ignored numerous civil society initiatives too, which underlined the importance and seriousness of the problem. Adversely, many AKP (the governing party) leaders/members used explicit hate speech towards LGBT people on the media. Last year, Prof. Mustafa Şentop, an AKP member of the Parliamentary Constitution Reconciliation Commission, who is also a professor of law, stated to the media that, as AKP, they were against any kind of provision with regards to protecting the rights of LGBTs.

Therefore, today in Turkey, most of the victims and the witnesses of homophobic or transphobic violations avoid applying to the judiciary, human rights institutions or other governmental complaint mechanisms. Due to the deficiencies in ensuring the legal security and confidentiality of the victims and witnesses, the absence of data protection and non-discrimination laws, and of a reliable and consistent jurisprudence, most of the victims and witnesses prefer not to get in touch with the police. They do so to avoid getting revealed and/or getting victimised and traumatised by them again and again.

To mitigate this disadvantage and collect factual evidence on the situation, Kaos GL used its individual and corporate networks in Ankara, in addition to its broad local network
encompassing numerous cities of Turkey. Kaos GL tried its best to utilize its daily updated news portal and the other means of social media to outreach victims and witnesses all around the country. In sum, 886 questionnaires were answered face to face, via phone or on the web. Then, with very careful and sensitive filtering based on credibility assessment, the number of surveys that were eligible was reduced to 239.

239 questionnaires covered by this report were responded by 112 victims and 127 witnesses. Valid surveys filled by the witnesses were when the witness had experienced the incident as a third person present at the scene of the incident.

The survey was conducted between 1 June 2013 and 31 October 2013. The incidents that were eligible to be included within the report were limited to the ones which happened in year of 2013, including the first half of the year.

The distribution of the geographic locations of the incidents was coherent with the demographics of Turkey. It should also be taken into account that there is an internal migration of LGBT people inside the country. LGBT people are moving from smaller cities to the bigger ones. Therefore, while most of LGBT people remain totally hidden in the small cities, they become "less secret" in the bigger ones. This rule may apply to the "loutishness" of the possible offenders. This generates one of the reasons why LGBT people are more likely to be attacked in cosmopolitan and metropolitan areas or the public spaces.
2. **KEY FINDINGS**

- A very large amount of the hate crimes based on homophobia and transphobia occurred at home, near home and at school, or in public spaces.

- In average, the victims were subjected to more than two violations per each incident: 239 respondents reported 551 violations. Most commonly, hate speech on grounds of sexual orientation or gender identity and physical violence went along at the same time with the other violations. Threat of extreme violence came as third.
Most of the victims were seriously afraid of their families and of the law enforcement. They trusted neither the courts nor the other instruments of the State. Therefore, very few had reported to the law enforcement or to the courts.

In more than half of the incidents, the perpetrators were two or more persons.

In approximately half of the cases, the attacks happened in front of two or more witnesses.
• More than half of the witnesses (61%) did not react to the incidents. Around one fifth of them expressed supportive manners towards the victims.

• Most of the victims faced severe psychological damage right after the incidents, which had an impact for a long time and deteriorated the victims’ lives in many aspects. Very few of them sought professional support to overcome serious effects of post-traumatic stress disorder, depression, anxiety, anger or paranoia. More than half of the victims, who received psychological treatment, stated that they were not treated appropriately.
3. BIAS MOTIVATED VIOLENCE AGAINST LGBT PERSONS

Psychological consequences to the victims (open ended question; 118 respondents)

Gender and gender identity of the victims (multiple answers; 239 respondents)

Sexual orientation of the victims (only one answer; 239 respondents)
The charts above visualize the answers of the victims and witnesses on the victims’ gender identity and sexual orientation. As it may be seen from the picture, intersex issues remain totally invisible within this survey. This also may reflect the very loose bonds between intersex individuals or groups and LGBT organisations in Turkey. One credible interpretation for this could be: intersex issues are still taken into account within the scope of the medical, rather than a social-political framework.

3.1. THE LEGAL SITUATION OF HOMOPHOBIC AND TRANSPHOBIC HATE CRIMES

As explained, Turkey does not recognise the category of hate crimes by legislation or by jurisprudence. A draft recently sent by the Cabinet to the relevant parliamentary commission in December 2013 excluded sexual orientation or gender identity. If it becomes law likewise, it will only recognise hate crimes based on language, "race", skin colour, gender, disability, political opinion, philosophical belief, religion and sect. Besides, many of the political measures and social-cultural aspects explained some paragraphs above will be again missing.

In accordance with this trend, the Turkish judiciary continues to disregard the bias motive. In practice, and although this is not based on legal provisions, it seems even often to welcome it by rewarding the offenders of homophobic or transphobic crimes with the provisions of "unjust provocation" or "good conduct abatement", instead of addressing the hate-motive as an aggravating factor.

The Turkish Court of Appeal's "sympathy" with gays' murderers can be verified from a very recent ruling, where the Court rejected the objection to a local court's previous decision with the inclusion of "unjust provocation". ³

At present, the articles listed below illustrate the gaps when it comes to hate crimes or bias motivated crimes within the Turkish legislation.

- **Turkish Penal Code - Article 3 (Equitable principle)**: (2) Neither discrimination can be made between the persons in respect of races, language, religion, sects, nationality, colour, sex, political tendencies etc. nor a person can be subject to special and different treatment before the laws and courts.

³ http://www.kaosgl.com/page.php?id=13565
• **Turkish Penal Code - Article 115 (Restriction of freedom of belief, conviction)**
(1) Any person who forces another person by using violence or threat to disclose or change his religious, political, philosophical beliefs, conceptions and convictions, or prevents discloser and publication of the same, is punished with imprisonment from one year to three years. (2) In case of prevention of mass religious service or worship by use of violence or threat or performance of any act contrary to the law, the punishment to be imposed is determined according to the above subsection.

• **Turkish Penal Code - Article 122 (Discriminatory Behaviour)**
(1) Any person who discriminates between individuals because of their racial, lingual, religious, sexual, political, philosophical belief or opinion, or for being supporters of different sects and therefore; a) Prevents sale, transfer of movable or immovable property, or performance of a service, or benefiting from a service, or bounds employment or unemployment of a person to above listed reasons, b) Refuses to deliver nutriments or to render a public service, c) Prevents a person to perform an ordinary economical activity is sentenced to imprisonment from six months to one year or imposed punitive fine.

• **Turkish Penal Code - Article 125 (Defamation)**
(1) Any person who acts with the intention to harm the honour, reputation or dignity of another person through concrete performance or giving impression of intent, is sentenced to imprisonment from three months to two years or imposed punitive fine. In order to punish the offense committed in absentia of the victim, the act should be committed in presence of least three persons. (2) The offender is subject to above stipulated punishment in case of commission of offense in writing or by use of audio or visual means directed to the aggrieved party. (3) In case of commission of offense with defamatory intent; a) Against a public officer, b) Due to disclosure, change or attempt to spread religious, social, philosophical belief, opinion and convictions and to obey the orders and restriction of the one’s religion, c) By mentioning sacred values in view of the religion with which a person is connected, the minimum limit of punishment may not be less than one year. (4) The punishment is increased by one sixth in case of performance of defamation act openly; if the offense is committed through press and use of any one of publication organs, then the punishment is increased up to one third. (5) In case of defamation of public officers working as a committee to perform a duty, the offense is considered to have committed against the members forming the committee.

• **Turkish Penal Code - Article 153 (Damage to worship places and cemeteries)**
(1) Any person who damages worship places (churches, mosques etc.), property used in such
places, cemeteries and buildings and premises over these areas by destroying, demolishing, breaking; is sentenced to imprisonment from one year to four years. (2) Any person who dirties the places and buildings listed in first subsection is punished with imprisonment from three months to one year, or imposed punitive fine. (3) The punishment to be imposed is increased by one third in case of commission of offenses mentioned in first and second subsection with the intention of insulting religious group.

- **Turkish Penal Code - Article 216 (Provoking people to be rancorous and hostile)**

  (1) Any person who openly provokes a group of people belonging to different social class, religion, race, sect, or coming from another origin, to be rancorous or hostile against another group, is punished with imprisonment from one year to three years in case of such act causes risk from the aspect of public safety. (2) Any person who openly humiliates another person just because he belongs to different social class, religion, race, sect, or comes from another origin, is punished with imprisonment from six months to one year. (3) Any person who openly disrespects the religious belief of group is punished with imprisonment from six months to one year if such act causes potential risk for public peace.

As seen, the provisions coming out from the Penal Code, naturally, address and handle only the criminal aspects of the problem, besides in a very inadequate framework. Here, sexual orientation or gender identity is not included within the protected grounds, just like many other categories. There is not any kind of jurisprudence of Turkish courts yet either.

When Prime Minister Erdoğan announced the new "democratisation package" last September 2013, he did mention anti-discrimination and hate crimes legislation within his speech. However, when the Cabinet sent their proposal to the Parliamentary Commission in December, protection on grounds of sexual orientation or gender identity was - again - excluded; just like it was excluded in the previous draft non-discrimination bill, which came to the public agenda on the year, 2010 mostly by means of EU accession criteria, and still remains as a draft.
3.2. HOMOPHOBIC AND TRANSPHOBIC HATE CRIMES AND HATE INCIDENTS

The motives and other patterns of the attacks were described as follows by victims and witnesses of these attacks:
3.3. GENERAL INFERENCES - QUALITATIVE OBSERVATIONS

Gender and gender identity of the victims

- Out of 239 answers, the victim was male in 138 of the cases described, including 14 trans man, while all the other genders and identities constituted the rest. The victim was described as female in 43 incidents, trans woman in 34 incidents, transgender in 16 incidents and intersex in 1 incident. An interpretation could be that males are more open about their sexuality, another one could be that there is a lesser tolerance and more violence towards them when they do not satisfy heteronormative expectations. "Female showing male characteristics" may be a "lesser evil" for the possible offenders, due to the gender codification in the society in favour of the masculinity. Not only but also, again mostly due to the sexist socio-political grounds, lesbian and bisexual women are said to be more invisible even in the LGBT community. This may have an effect on the results of this survey.

Sexual orientation of the victims

- Out of 239 answers, 130 victims were described as gay. This can be read as corroborating the data referred to in the previous paragraph.

- It was seen that 6 out of 9 victims who described their gender identity as trans woman also stated their sexual orientation as heterosexual. According to further examination of the survey, Witness respondents sometimes seemed to be confused about the sexual orientation of trans women, as out of 25 witnesses, 5 of them described trans woman victims’ sexual orientation as gay. The other 20 witnesses described the transwomen as follows: 2 as lesbian, 4 as heterosexual; while 8 of them was not sure, 4 did not know and 2 described it as “transvestite”.
Time of the incidents
• Most of the incidents occurred in the afternoon, in the evening or at night. The brutality of the attacks increased during the evenings and nights.

<table>
<thead>
<tr>
<th>Time of the day of the incidents (only one answer; 239 respondents)</th>
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<tbody>
<tr>
<td>Night</td>
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<tr>
<td>51</td>
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<td>21%</td>
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Place of the incidents
• LGBT people were not even secure at home, near their houses or at police centres. Especially LGBT children faced serious attacks and bullying at school, either by their peers or their teachers. It may be speculated that very few of LGBT people, especially LGB people, were open at their workplaces or that many of them were unemployed, because of the small number of incidents reported addressing workplaces. Other places where they were exposed to attacks were mainly public spaces such as mass transit vehicles, bars, cafes, cinemas, parks, etc.
• 2 of 5 homicides happened at home, 2 near home.
• 8 of 15 attempted killings happened at home, 3 near home.
• 3 of 6 incidents of which the victims were wounded by a weapon, happened at home.

Geographic locations of the incidents
• The victims and the witnesses of the research reported incidents from 27 different cities and 5 different locations in rural areas.
• 5 cases of homicide were reported from Bursa, Diyarbakır, İstanbul, İzmir, Kuşadası; which are cosmopolitan or metropolitan areas.

Age of the victims
• The age of the LGBT victims varied from 11 to 55 years old.
• The brutality of the attacks increased between 18 and 40 years old. For example, the average age of the victims of homicides and attempted killings was both 27. This age
reached 28 for rapes and wounds by weapons. The average was 23 for victims being locked up or detained. In numerous cases, the victims were described as being under age 18. For victim verbally abuse and chased, the average age of was 21.

**Child victims**

- The specific type of violations towards LGBT children (any person who is or below 18 years old) were mostly attempted killing (1/3 of the total incidents), physical violence (17/82), damage against property (5/19), threat of violence (19/84), verbal abuse (38/174), chased (14/44) and locked up or detained (6/12).
- Most of the children were targeted at home, near home or at school.

**Number of perpetrators**

- In general, the perpetrators of the hate crimes were 2 or more persons. However, 4 of 5 murders were committed by only one person. This was 6 to 9 within the scope of attempted killings.

**Identity of perpetrators**

- Private persons: Approximately 3/4 of the offenders were private persons. Among them, family members, partners, schoolmates or acquaintances of the victims form up 52 out of 177. This may be explained by two features. Firstly, in addition to women and children, LGBT people are the regular targets of systematic domestic violence. Secondly, the State's negative attitude towards LGBT people renders them "easy preys" for their managers', employers', schoolmates' or acquaintances' violence in addition to ordinary persons.
- Public officials: police officers, military personnel, teachers and health care workers.
- Professionals: private security workers, trainers, employers, health care workers.
Age of the perpetrators

- 17 out of 239 incidents were reported to be perpetrated by persons who were 18 years old or younger.
- Nearly all of the child offenders were schoolmates of the victims.

Characteristics of the attacks

- 2/5 of the homicides, 3/15 of the attempted killings were perpetrated by the family members of the victims.
- 4 of 5 homicide victims were already subjected to threats before the incidents.
- 4/6 of the attempted killing victims were threatened before the attack.
- Trans persons were exposed to more number of attacks as the brutality of the attacks increase. Although 1/4 of the total 254 responds stated the victims to be transgender; 2/5 of the homicides, 7/15 of the attempted killings and 20/24 of the extreme physical violence were against transgender persons.
- 4 of 6 victims of attempted killings and 3 of 9 of rape victims were threatened by the perpetrators prior to the attacks.
- 5 of 9 rape victims were being chased before the attacks.
- Offenders were more than one person in 62 of 82 incidents with physical violence.

Report to the Police

- Most of the cases, even for attempted killings and rapes, were not reported to the police.
- 8 out of 15 attempted killings were not reported to the police.
-Only 6 of 25 extreme violence cases were reported to the police, including rape. This was 2/9 for rape.
- One of the attempted killing victims and one of the rape victims asked for police protection prior to the attacks; the police had rejected both.

Behaviour of the police

- It should be reminded that 24, out of 239 incidents were reported officially to police; where in 40 incidents police were somehow involved. The answers,of the victims and witnesses pictured the behaviour of the police as follows:
According to the victims and witnesses, the police perceived the incidents as a hate crime in approximately only 10% of the cases.

Reasons for not reporting to the police (according to 126 responses)

- Distrust of the police (65 answers).
- Being afraid of getting victimised and traumatised also by the police (10 answers).
- Being afraid of getting ousted, especially to the family or the media, by the police (36 answers).

Cases taken to the courts

- Only 2 out of 15 attempted murder perpetrators were taken to the court.

Cases reported to other mechanisms

- Most of the victims and witnesses did not know what these mechanisms were.
- The ones who knew thought that they were affectless.
- The most common mechanism used was administrative procedure of the police, due to the perpetrators who were actually police officers.
- Few incidents were reported to the LGBT NGOs or victim support groups.
• Very few of victims reported to the human rights institution and the ombudsperson. None of them mentioned legal aid provided by bars as well.

Medical care

• When injured, an approximate half of the victims sought care at the medical institutions. Around 3/5 of them found the behaviour and treatment appropriate.

Psychological support

• 5 of the 9 rape victims did not receive any kind of psychological support. Only 1 victim sought it from a professional, 3 victims from their friends. None of these 4 persons stated that the psychological support given to them was appropriate. 3 of rape victims lost their jobs right after the incidents due to psychological problems.
3.4 QUANTITAVE FINDINGS OF THE SURVEY BASED ON VIOLATIONS

1. HOMICIDE AND ATTEMPTED KILLING

HOMICIDE
Responded by 5 witnesses
This seems to be coherent with annual reports and the news that appeared on the media.

Gender and gender identity of the victims: The victims were described as male in 3 cases, trans man in 1 case, trans woman in 1 case.

Sexual orientation of the victims: The victims were described as gay in 4 cases, "transvestite" in 1 case.

Time of the incidents: 2 cases occurred in the evening, 3 cases occurred at night.

Place of the incidents: 2 cases happened at home, 2 near home, 1 on the main street.

Geographic location: Bursa, Diyarbakır, İstanbul, İzmir, Kuşadası.

Number of perpetrators: Only one person in 4 cases, more than one person in 1 case.

Identity of the perpetrators: All of 5 of were private persons (1 was the partner of the victim, 1 was family member and 3 were unknown to the victim).

Age of the perpetrators: In 4 of the cases, the perpetrators were more than 18 year old; in 1 case this was not known.

Motive of the attack: Witnesses indicated sexual orientation in 3 cases, gender identity in 2 cases, gender expression in 1 case, religion in 1 case.

Facts about the attack: 4 victims were already facing threats due to their gender identity and sexual orientation prior to the murders.

Age of the victims: 27, 18, 25, 27 and 38.
Child victims: 1 of the victims was 18 years old.
Case taken to court: 2 out of 5 cases were taken to court. Witnesses of 3 cases did not know this.

ATTEMPTED KILLING
Responded by 15 persons (11 victims, 4 witnesses)

Gender and gender identity of the victims: They were described as male in 5 incidents, female in 3 incidents, trans woman in 4 incidents, trans man in 2 incident, trans in 1 incident.
Sexual orientation of the victims: They were described as gay in 5 incidents, lesbian in 3 incident, bisexual in 1 incident, heterosexual in 4 incidents, "transvestite" in 1 incident, "unknown" in 1 incident.
Age of the victims: Between 16 and 55.
Child victims: 5 of the 15 victims were 18 year old or younger
Report to police: 7 victims reported their cases to the police, 8 victims did not.
Behaviour of the police: The police was supportive in 1 incident, irrelevant in 3 incidents, neutral in 2 incidents; mocking, insulting and violent in 1 incident. (In 2 cases, the perpetrators were already police officers or military personnel so the police did not report.)
Case taken to court: 2 incidents out of 15 were taken to court.
Place of the incidents: 8 happened at home, 3 near home, 1 at cruising area, 1 at immigration centre, 1 in front of municipal building, 1 at state hospital.
Number of the perpetrators: The perpetrators were only one person in 6 incidents, more than one person in 9 incidents.
Geographic location: 5 happened in Ankara, 5 in İstanbul, 3 in İzmir, 1 in Kars, 1 in Gaziantep.
Identity of the perpetrators: Out of 15 incidents; the perpetrators were private persons unknown to the victims in 6 incidents. 3 murders were attempted by the family members of the victims. The perpetrators were public officials in 2 incidents (police officers and military personnel). In 1 incident, offender was a professional: the employer of the victim. For 3 incidents, the identity of the perpetrators remained unknown.
Injuries: 10 of the victims got injured severely.
Medical care: 8 of the victims sought medical care. 6 victims found it appropriate, 2 inappropriate.
Psychological support: Only 5 received professional support, 2 from LGBT NGOs. 3 did not receive any. Others sought it among their friends or family.
2. **EXTREME PHYSICAL VIOLENCE**

Wounded by a weapon (6 incidents), raped (9 incidents), other sexual assault (13 incidents)

**WOUNDS BY A WEAPON**

Responded by 6 persons (3 victims and 3 witnesses)

**Gender and gender identity of the victims:** They were described as male in 2 incidents, trans woman in 3 incidents, trans in 1 incident.

**Sexual orientation of the victims:** They were described as gay in 3 incidents, bisexual in 1 incident, heterosexual in 1 incident, witness was "not sure" in 1 incident.

**Age of the victims:** 22, 18, 35, 30, 26 and 36.

**Child victims:** 1 of the 6 victims was 18 year old.

**Time of the incidents:** 3 incidents happened in the evening, 3 incidents at night.

**Place of the incidents:** 3 incidents happened at home, 1 near home, 1 at the cruising area, 1 at other public space.

**Geographic locations:** 3 incidents happened in Ankara, 2 in İstanbul, 1 in İzmir.

**Number of the perpetrators:** They were only one person in 3 incidents, more than one person in 3 incidents.

**Identity of the perpetrators:** Private persons in 3 incidents (unknown to the victim), public officials in 2 incidents (military personnel in both), family member in 1 incident (the father)

**Motive of the incidents:** Sexual orientation in 4 incidents, gender identity in 4 incidents, gender expression in 2 incidents, gender in 1 incident, age in 1 incident.

**Facts about the attacks:** 4 of the victims were already receiving threats. In one case, the victim had asked for police protection; the police rejected it.

**Medical care:** 4 out of the 6 victims sought medical care, 1 did not, 1 was "unknown" by the witness. All 3 of the victims stated that medical support given to them were appropriate.

**Report to the police:** 3 of the 6 incidents were reported to the police, 2 were not, 1 was unknown by the witness.

**Behaviour of the police:** In 1 case the police was supportive towards victim. They approached the phenomena as a hate crime. In the second case that was reported, police hid the case because the perpetrator was military personnel. For the third case, the police were mocking and insulting towards the victim.

**Reasons for not reporting to the police:** "Police might be very angry. They even get angry
with the victims. Police send the case to the courts; and the judges only fine them and set them free. This would be backbreaking for me and my family.” 1 of the victims stated she did not want to be insulted, harassed or get exposed to violence by the police moreover; so she did not apply to police.

Case taken to court: 4 of the 6 incidents were taken to the court, 1 was not, 1 was unknown by the witness of the incident.

Case reported to: 1 of the victims made a complaint to the Parliamentary Human Rights Commission of the Parliament and Ministry of Interior, other 2 was reported to LGBT NGOs. 3 were not reported at all.

RAPE
Responded by 9 persons (6 victims, 3 witnesses)

Gender and gender identity of the victims: They were described as male in 5 incidents, trans woman in 3 incidents, unknown to the witness in 1 incident.

Sexual orientation of the victims: They were described as gay in 4 incidents, lesbian in 1 incident, transvestite in 1 incident, heterosexual in 3 incidents.

Age of the victims: 14, 21, 24, 22, 30, 45, 19, 38, 40

Child victims: 1 victim was 14 years old.

Time of the incidents: 2 incidents happened in the afternoon, 4 in the evening, 3 at night.

Place of the incidents: 2 incidents happened at home, 1 near home, 1 at school, 1 at police centre, 1 at the cruising centre, 2 at other public space, 1 at the bus station.

Geographic locations: 1 Ankara, 5 İstanbul, 2 İzmir, 1 Dikili (İzmir).

Facts about the attacks: 5 victims out of 9 were already being chased before the event. 3 of them were already exposed to threats before the event. 1 of them had asked the law enforcement previously, but had been rejected.

Number of the perpetrators: Out of 9 incidents; in 3 there was only one person as perpetrators; while in 6 of the incidents there were more than one person.

Identity of the perpetrators: In all 8 of the cases the perpetrators were private persons. 2 of them were known by the victims. In 1 case it was the victim’s employer.

Medical care: 3 victims sought medical care, 5 victims did not. 2 victims thought that the medical care was appropriate, while the third had negative. In 1 incident, the witness did now know if the victim had sought medical care or not.

Psychological support: 5 out of 9 victims had not received any kind of psychological support after the incident. 1 victim received it from a psychiatrist, while the other 3 from friends. All 4 of them explained that the psychological support given to them was not appropriate. Due to post-trauma and lack of psychological support, 3 victims had lost their
job after the incidents.

**Report to the police:** Only 2 victims reported the rape to the police, 6 victims did not. 1 incident was not known by the witness.

**Behaviour of the police:** In 1 case, the police was supportive towards the victim. They perceived it as a hate crime. In the other case, the police was marked to be mocking, insulting and violent.

**Reasons for not reporting to the police:** 1 victim did not report the violence due to threats of the offenders. The other victim did not trust police and did not want to be revealed to her family. One of the victims could not take a legal action due to her financial difficulties. One victim stated that he found the police unethical and unreliable, especially after the Gezi Events. He said that he even avoided passing by police stations. Another two told that they were afraid of the police harassment.

**Case taken to the court:** Only 1 rape incident out of 8 was taken to the court by the victims. 1 incident was not known by the witness.

**Case reported to:** Those 8 incidents were not reported via any another mechanism either. 1 incident was not known by the witness.

**OTHER SEXUAL ASSAULTS**

Responded by 9 persons (2 victims and 7 witnesses)

**Gender and gender identity of the victims:** They were described as male in 4 incidents, female in 2 incidents, trans woman in 4 incidents, trans in 1 incident

**Sexual orientation of the victims:** They were described as gay in 4 incidents, lesbian in 1 incident, bisexual in 1 incident, heterosexual in 1 incident, witness was "not sure" in 1 incident, witness "did not know" in 1 incident

**Age of the victims:** 19, 22, 18, 22, 22, 25, 28, 30, 30

**Child victim:** 1 victim out of 9 was 18 years old.

**Time of the incidents:** 4 incidents happened in the afternoon, 1 incident in the evening, 4 incidents at night

**Place of the incidents:** Out of 9 incidents; 3 happened near home, 1 at school, 1 at cruising area, 1 at or nearby a LGBT venue, 1 at a bar, 2 at other public spaces.

**Geographic locations:** 4 incidents happened in Istanbul, 2 in Ankara, 2 in Izmir, 1 in Rize

**Motive of the attacks:** Psychical violence and hate speech on grounds of sexual orientation and gender identity went along with the sexual assault in all cases. Both of them were already been chased, none was reported to the law enforcement.

**Number of perpetrators:** They were only one person in 3 incidents, there were more than one person in 6 of the attacks. None of them were known by the victims.
Reaction of the witnesses: In one incident, most of the witnesses ignored the scene. In the other, witnesses supported the perpetrators via hate speech.

Identity of the perpetrators: They were private persons in 4 incidents (all unknown to the victims), 2 public officials (2 police officers); 1 witness did not know.

Medical care: 1 victim sought medical care, 1 did not. Medical care was appropriate.

Psychological support: Both 2 of the victims did not receive any kind of support.

Report to police: 1 victim reported the incident to police, 8 did not.

Behaviour of the police: The police were supportive towards victim in that incident and approached the issue as a hate crime.

Reasons for not reporting: The other victims did not report to avoid getting outing. Victims were afraid of police aggression and getting discriminated and revealed.

Case taken to court: 1 case was taken, the other was not.

3. ASSAULTS

PHYSICAL VIOLENCE
Responded by 82 persons (39 victims and 43 witnesses)

Gender and gender identity of the victims: They were described as male in 46 incidents, female in 12 incidents, trans man in 3 incidents, trans woman in 19 incidents, trans in 9 incidents, "queer" in 1 incident, "gay" in 1 incident, victim "did not know" in 1 incident

Sexual orientation of the victims: They were described as gay in 46 incidents, lesbian in 9 incidents, bisexual in 8 incidents, heterosexual in 9 incidents. 2 victims were "not sure". 1 described as "asexual", 1 as "queer". Witnesses were "not sure" in 5 incidents, witness "did not know" in 1 incident.

Age of the victims: Between 11 and 43 years old.

Child victims: 17 victims out of 82 were 18 years old or younger.

Time of the day: They occurred in every time of the day; but mostly in the afternoon, in the evening and at night.

Place of the incidents: 12 incidents happened at home, 16 near home, 6 at school, 2 at police centre, 3 at cruising area, 3 at or nearby LGBT venue, 39 at other public spaces, 1 at immigration centre.

Geographic locations: 10 incidents happened in Ankara, 33 in İstanbul, 18 in İzmir, 2 in Tekirdağ, 2 in Kars, 2 in Eskişehir; 1 incident per each for Ardahan, Kocaeli, Van, Uşak, Manisa, Balikesir, Adana, Erzincan, Rize, Dikili (İzmir), Hatay, Adana, Samsun, Muğla and Diyarbakır.
Facts about the attack: In 15 incidents out of 39, the victims had already been stalked.

Number of perpetrators: There was only one perpetrator in 20 incidents out of 82, and more than one perpetrator in 62 incidents.

Identity of the perpetrators: Out of 82 incidents, 55 perpetrators were private persons, 3 were employers. They were park officer in 1 incident, health care specialist in 1 incident, public officials in 5 incidents (3 police officer, 1 military personnel and 1 teacher), students in 6 incidents, a person met on internet in 1 incident, family members in 2 incidents, unknown to the victim in 8 incidents.

Age of the perpetrators: Perpetrators were 18 years old or younger in 6 out of 39 incidents, in 30 incidents they were adults, 3 incidents unknown.

Motive of the attack: 31 sexual orientation, 19 gender identity, 10 gender expression, 3 gender, 2 race/ethnic identity, 3 religion, 4 age, 1 extortion, 1 "emotional orientation".

Facts about the attacks: 11 victims stated that they were already being chased before the incidents. 12 victims were threatened verbally prior to the assault. In 26 of the incidents, the victims were threatened for more violence after the assault. Law enforcement had rejected 2 victims' demands for protection before the incidents.

Motive of the attacks: Race or ethnic identity was indicated in 3 incidents; religion was indicated in 3 incidents, age was indicated in 1 incident, "opinions" was indicated in 1 incident.

Injuries: 52 victims out of 82 incidents were injured.

Medical care: 23 victims out of 52 sought medical care. 13 of them reported to be approached appropriate, 10 as negative. 28 incidents were unknown by the witnesses if the victim sought medical care or not.

Psychological support: Out of 82 incidents; 15 victims did not receive any kind of support, 16 saw a psychologist, 2 from received it from victim support group, 31 from friends, 9 from LGBT NGOs, 2 from their families. Out of 24 victims who received some kind of psychological support, 16 of them thought that it was appropriate, 9 negative and 9 of the victims does not know if the support was appropriate or not. Others were not known by the witnesses.

Report to the police: Out of 82 incidents; 16 were reported to the police, 57 incidents were not. 9 witnesses did not know if the incident was reported or not.

Behaviour of the police: The police was supportive towards the victims in 3 incidents, irrelevant in 4 incidents, neutral in 2, mocking in 3, insulting in 1, violent in 1. Police perceived the assault as a hate crime in 3 of 7 incidents. For 9 incidents that were reported; the police was irrelevant in 2, mocking in 3, insulting in 3 and violent in 1. 1 incident already happened in police centre. 2 of the witnesses did not know about the behaviour. In only 1 of the incidents, the police perceived the issue as a hate crime.
Case taken to court: 7 out of 82 incidents were taken to the court. For 18 incidents, the witnesses did not know if the case was taken to the court or not. 

Case reported to: Out of 82 incidents; 15 of them were reported to LGBT NGOs, 4 to human rights institution, 5 to administrative complaint mechanisms. 26 witnesses did not know if the case was reported or not.

4. DAMAGE AGAINST PROPERTY

Responded by 19 persons (10 victims, 9 witnesses)

Gender and gender identity of the victims: They were described as male in 12 incidents, female in 1 incident, trans woman in 4 incidents, trans in 1 incident, "queer" in 1 incident.

Sexual orientation of the victims: They were described as gay in 13 incidents, lesbian in 1 incident, bisexual in 1 incident, heterosexual in 3 incidents. 1 witness was "not sure" about victim's sexual orientation.

Age of the victims: Between 16 and 46 years old.

Child victims: 5 of the victims were 18 years old or younger.

Time of the incidents: 1 incident happened in the morning, 8 in the afternoon, 5 in the evening, 5 at night.

Place of the incidents: 6 incidents happened at home, 5 near home, 1 at work, 1 at police centre, 1 at or nearby LGBT venue, 1 immigration centre, 4 other public spaces.

Geographic location: 2 incidents happened in Ankara, 4 in İstanbul, 4 in İzmir, 2 in Adana; 1 incident per each in Uşak, Kars, Adana, Kocaeli, Eskişehir, 1 at rural area.

Number of perpetrators: They were only one person in 4 incidents, more than one person in 15 incidents.

Facts about the attacks: The victims were exposed to psychological violence and hate speech in 16 out of 19 incidents. In 2 incidents there was rape. Attempted killing went along in 2 of the incidents. Victims were sexually harassed in 4 of the incidents. 1 victim was targeted because of working in a LGBT organisation. 6 out of 10 victims were threatened prior to the attack. In 5 incidents physical violence, 5 victims were being chased before the incident.

Identity of the perpetrators: 18 out of 19 incidents were perpetrated by private persons. 1 incident was perpetrated by public officials, who were police officers. For private persons; 4 of them were family members of the victims. Another 4 incidents were again perpetrated by persons known by the victims. In 10 incidents, the perpetrators were unknown to the witness.

Injuries: Victims were injured in 2 of the incidents.
Medical care: 1 victim sought medical care. The witness stated that the victim received appropriate care.

Psychological support: 4 victims received support from a psychologist. 8 received it from friends, 3 from the family and 2 from LGBT NGOs. 5 victims did not receive any kind of support. 2 out of 5 thought that the support was appropriate, 2 inappropriate, 1 did not know.

Report to police: Out of 19 incidents, only 2 were reported to the police, 16 were not. 1 was not known by the witness. (In 1 case the perpetrators were already police officers.)

Reason for not reporting: Common reasons were "distrust to the police", "being afraid of getting revealed, to family in particular" and "being afraid of more violence next time".

Case taken to court: 2 of the 19 incidents were taken to the court.

Case reported to: 3 incidents were reported to LGBT NGOs, 1 to the administrative complaint mechanism.

5. ARSON
This question was responded by neither victims nor witnesses.

6. THREATS AND PSYCHOLOGICAL VIOLENCE
During the survey implementation period, 2 victims informed that they were receiving serious death threats.

Locked up and detained (12), chased (44), threat of violence (84) sexually harassed (39)

VICTIMS LOCKED UP AND DETAINED
Reports by 12 persons (7 victims, 5 witnesses)

Gender and gender identity of the victims: They were described as male in 4 incidents, female in 4 incidents, trans woman in 4 incidents, trans in 1 incident.

Sexual orientation of the victims: They were described as gay in 4 incidents, lesbian in 3 incidents, bisexual in 1 incident, heterosexual in 4 incidents.

Age of the victims: Between 16 and 55 years old.

Child victims: 6 of 12 victims were 18 years old or younger.

Victim's extent of "being out": All victims were out to their families, friends or the LGBT community; except being totally secret at their work life.

Time of the incidents: 1 incident happened in the morning, 3 in the afternoon, 4 in the evening, 4 at night.
**Place of the incidents:** 7 incidents occurred at home, 2 at cruising area, 1 at immigration centre, 2 other public spaces.

**Geographic locations:** 3 incidents happened in Ankara, 5 in İstanbul, 2 in Kars, 2 in İzmir.

**Facts about the attacks:** During the period of being locked up and detained; attempted killing in 3 incidents, rape in 1 incident, sexual assault in 2 incidents, physical violence in 3 incidents, wounded by weapon in 1 incident, 5 continuous hate speech and 6 threats on further violence got along. 6 out of 7 victims were already being chased before the attack. 4 victims had already threatened before the attack.

**Motive of the attack:** During the period of being locked up and detained; 1 attempted killing in 1 incident, psychical violence in 3 incidents, sexual assault in 1 incident, threat for further violence in 3 incidents and continuous hate speech in 3 incidents went along. 2 out of 5 victims were already being chased before the attack. 2 victims were already facing threats by the perpetrators before the attack. For that 1 incident, the law enforcement had refused the victim's previous demand for protection.

**Number of perpetrators:** In all 12 cases, the perpetrators were more than one person.

**Identity of the perpetrators:** They were private persons in 5 incidents, public officials in 2 incidents (police officer and chief), family members in 4 incidents, the victim's employer in 1 incident.

**Injuries:** 6 victims out of 12 were injured.

**Medical care:** 2 victims sought medical care, 10 did not. 1 of the victims considered it as appropriate, 1 did not.

**Psychological support:** 3 of the victims received professional support, 5 of them from friends, 1 from family and 1 from LGBT NGO. 4 out of the 12 victims did not receive any psychological support. 3 victims considered it was appropriate, 1 inappropriate, 1 did not know.

**Report to the police:** 1 out of 12 cases was reported to the police; 5 of them were not. 1 incident was not known by the witness.

**Behaviour of the police:** Police was supportive and perceived the phenomena as hate crime in that 1 incident which was reported.

**Reasons for not reporting:** Not be revealed, being afraid of the family and domestic violence, getting discriminated and victimised by the police.

**Case taken to court:** 2 out of 12 cases were taken to the court; 1 were not; 1 was unknown by the witness.

**Case reported to:** 2 out of 12 incidents were reported to LGBT NGOs, 2 to the human rights institution. 4 incidents were not reported at all. 1 incident was unknown by the witness.
**CHASED**

Reports by 44 persons (27 victims, 17 witnesses)

**Gender and gender identity of the victims:** They were described as male in 20 incidents, female in 9 incidents, trans man in 2 incidents, trans woman in 6 incidents, trans in 3 incidents, "queer" in 1 incident, "androgynous" in 1 incident, the victim "did not know" in 1 incident, "unknown" to the witnesses in 3 incidents.

**Sexual orientation of the victims:** They were described as gay in 18 incidents, lesbian in 7 incidents, bisexual in 6 incidents, heterosexual in 6 incidents, "none" in 1 incident, "queer" in 1 incident, the victim "did not know" in 1 incident, the victim "was not sure" in 1 incident, "unknown" to the witnesses in 3 incidents.

**Age of the victims:** Between 16 and 50.

**Child victims:** 14 victims out of 44 were 18 years old or younger.

**Time of the incidents:** 2 incidents occurred in the morning, 15 in the afternoon, 18 in the evening, 9 at night.

**Place of the incidents:** They occurred near home in 18 incidents, at school in 4 incidents, at work in 1 incident, at the police centre in 1 incident, nearby a LGBT venue in 1 incident, at the cruising area in 2 incidents, at a government office in 1 incident, at other public spaces in 16 incidents.

**Facts about the attack:** Rape in 5 incidents, sexual assault in 3 incidents, attempted killing in 5 incidents, psychical violence in 15 incidents, wounded by weapon in 1 incidents, sexual harassment in 24 incidents, physical violence in 1 incident and threat for further violence in 26 incidents intersects with being chased. 10 victims were being threatened before the attack.

**Number of perpetrators:** There was only one perpetrator in 8 incidents, more than one in 36 incidents.

**Identity of the perpetrators:** They were private persons in 28 incidents, public officials in 3 incidents (police officers), family members in 3 incidents, professionals in 2 incidents (trainer and private health officer) For 8 incidents the perpetrators were unknown.

**Psychological support:** 10 out of 44 victims received professional support; 1 from victim support group, 11 from their friends, 2 from their families, 1 from LGBT NGO.

**Report to police:** 7 out of 44 cases were reported to the police, 31 were not, 6 were "unknown" to the witnesses.
Behaviour of the police: For 2 one that 7 incidents, the police were supportive to the victim and perceived the phenomena as hate crimes. Police was dismissive in 3 incidents, mocking in 1 incident, neutral in 1 incident.

Reasons for not reporting: For 24 victims; they mentioned "being afraid of the police" in 6 incidents, "being afraid of getting revealed to the family and domestic violence" in 8 incidents, "distrust to the police" in 5 incidents, "being afraid of getting revealed to the media by the police" in 5 incidents.

Case taken to court: Out of 44 incidents, only 2 incidents were taken to the court, 33 were not. Witnesses of 9 incidents did not know if the case was taken to the court or not.

Case reported to: 7 incidents were reported to LGBT NGOs, 3 to human rights institutions, 2 to administrative complaint mechanisms, 1 to the media. 13 of 17 witnesses did not know if the case was reported or not.

THREAT OF VIOLENCE
Reports by 84 persons (39 victims, 45 witnesses)

Gender and gender identity of the victims: They were described as male in 48 incidents, female in 9 incidents, trans man in 4 incidents, trans woman in 13 incidents, trans in 9 incidents, "queer" in 1 incident, "androgynous" in 1 incident. Witnesses of 3 incidents did not know victims' gender or gender identity.

Sexual orientation of the victims: They were described as gay in 46 incidents, lesbian in 8 incidents, bisexual in 9 incidents, heterosexual in 9 incidents, "not sure" in 1 incident, "none" in 1 incident. Witnesses were "not sure" in 4 incidents, witnesses "did not know" in 6 incidents.

Age of the victims: Between 14 and 55.

Child victims: 19 out of 84 victims were 18 years old or younger.

Time of the incidents: 10 incidents happened in the morning, 27 in the afternoon, 29 in the evening, 18 at night.

Place of the incidents: For 84 incidents; 22 happened at home, 9 at school, 2 at work, 1 on the internet, 1 at the immigration centre, 1 at police centre, 2 at or nearby LGBT venue, 46 at other public spaces.

Number of the perpetrators: They were only one person in 21 incidents; more than one person for 63 incidents.

Identity of the perpetrators: They were private persons in 58 incidents (16 were known by the victims), professionals in 4 incidents (1 employee, 1 trainer, 1 health officer, 1 private security), public officials in 5 incidents (1 health officer, 1 teacher, 3 police officer), family members in 6 incidents. Perpetrators of 11 incidents were unknown for witnesses.
Psychological support: For 84 incidents; 10 victims received professional support, 1 from victim support group, 36 from their friends, 5 from their families, and 7 from LGBT NGOs. 15 victims did not receive any kind of psychological support.

Report to police: 14 out of 84 incidents were reported to the police.

Behaviour of the police: The police was supportive to the victim in 1 incident, irrelevant in 6 incidents, neutral in 5 incidents, mocking in 3 incidents, insulting in 1 incident and violent in 1 incident. In one case the police spoke like "What did you expect; flowers?" to the victim. In 2 out of 14 incidents, the police perceived the phenomena as hate crime.

Reasons for not reporting to police: Victims stated that they were "afraid of the police", "afraid of getting revealed to the family by the police", "getting discriminated and being traumatised by the police".

Case taken to court: 8 out of 84 cases were taken to court, 60 were not. For 16, the situation was not known by the witnesses.

Case reported to: 13 incidents were reported to LGBT NGOs, 4 to the human rights institution, 7 to administrative procedures.

VICTIMS SEXUALLY HARASSED
Responded by 39 persons (18 victims, 21 witnesses)

Gender and gender identity of the victims: They were described as male in 18 incidents, female in 9 incidents, trans man in 3 incidents, trans woman in 7 incidents, trans in 4 incidents, "unknown" by the witnesses in 2 incidents.

Sexual orientation of the victims: They were gay in 18 incidents, lesbian in 6 incidents, bisexual in 5 incidents, heterosexual in 5 incidents. Witnesses of 2 incidents were "not sure" and they "did not know" 3 incidents.

Age of the victims: Between 15 and 43.

Child victims: Out of 39 incidents, 3 victims were 18 years old or younger.

Time of the incidents: 1 incident happened in the morning, 8 incidents in the afternoon, 4 incidents in the evening, 5 incidents at night.

Place of the incidents: 1 incident happened at home, 6 incidents near home, 5 incidents at school, 2 incidents at police centre, 1 incident at cruising area, 1 incident at immigration centre, 1 incident at workplace, 3 incidents at or nearby LGBT a venue, 1 incident at government office, 18 incidents at other public spaces.

Number of the perpetrators: Out of 39 incidents; they were only one person in 12 incidents, more than one person in 27 incidents.

Identity of the perpetrators: They were private persons in 35 incidents (25 were unknown to the victims. 5 were partners of the victims, 5 were friends/acquaintances of the victims).
The perpetrators were public officials in 3 incidents (police officer, health officer, teacher), family members in 1 incident.

**Psychological impact:** Out of 18; 14 victims stated that they were psychologically affected by the harassment, 4 did not know if they were affected or not.

**Psychological support:** Out of 39 incidents; the victims sought professional support in 6 incidents; they received it from victim support group in 2 incidents, from friends in 11 incidents, from family in 1 incident and from LGBT NGO in 1 incident. 15 victims did not receive any kind of support. 6 witnesses did not know if the victims received or not.

**Report to police:** Out of 39 incidents; 5 cases were reported to police, 27 were not. 7 witnesses did not know if the incident were reported or not.

**Behaviour of the police:** Police’s behaviour was irrelevant in 2 incidents, violent, mocking in 1 incident, insulting and violent in 1 incident and supportive towards victim in 1 incident. In that 1 incident, the police perceived the phenomena as a hate crime.

**Case taken to court:** Out of 39, 3 incidents were taken to court. Witnesses of 6 incidents did not know if the cases were taken to court or not.

**Case reported to:** Out of 39, 4 incidents were reported to LGBT NGOs, 2 to human rights institutions, 3 to administrative complaint mechanisms. Witnesses of 18 incidents did not know this.

7. **OTHER INCIDENTS WITH BIAS MOTIVATION**

**Insults or verbal abuse (174), refused access to public services (2), refused protection by law enforcement services (5), refused job/fired, refused commercial services (5)**

**VERBAL ABUSE**
Responded by 174 persons (82 witnesses, 92 victims)

**Gender and gender identity of the victims:** They were described as male in 94 incidents, female in 36 incidents, trans man in 8 incidents, trans woman in 26 incidents, trans in 13 incidents. The victims "did not know" this in 3 incidents; described themselves as "queer" in 2 incidents, "asexual" in 1 incident, "androgynous" in 1 incident, "bisexual" in 1 incident, "gay" in 1 incident, intersex in 1 incident.

**Sexual orientation of the victims:** They were described as gay in 90 incidents, lesbian in 21 incidents, bisexual in 21 incidents, heterosexual in 17 incidents, "queer" in 3 incidents, "asexual" in 2 incidents, "none" in 1 incident, "not sure" by the witness in 13 incidents, "unknown" by the witness in 6 incidents.
Age of the victims: Between 13 and 55 years old.
Child victims: 38 victims out of 174 were 18 years old or younger.
Time of the incidents: 18 incidents happened in the morning, 66 happened in the afternoon, 58 in the evening and 32 at night.
Place of the incidents: 18 incidents happened at home, 28 happened near home, 31 at school, 9 at police centre, 3 at cruising area, 2 at work, 2 on the internet, 1 at government office, 3 at or nearby LGBT venue, 77 at other public spaces.
Number of perpetrators: Out of 174 incidents, 60 were perpetrated by a single person; 114 by more than one person.
Identity of the perpetrators: They were private persons in 122 incidents, public officials in 14 incidents (police officers in 9 incidents, military personnel in 1, teachers in 2, health officers in 2 incidents); professionals in 6 incidents (employers in 2 incidents, manager in 1 incident, health practitioner in 1 incident, private securities in 2 incidents). The perpetrators were family members in 10 incidents, friends/acquaintances in 32 incidents.

ACCESS TO HEALTH AND OTHER PUBLIC SERVICES REFUSED (2 SAMPLE CASES)

CASE I
Gender and gender identity of the victim: Trans woman
Sexual orientation: Heterosexual
Age of the victim: 30
Place of the incident: Polis centre detention room.
Geographic location: She did not want to give information.
Motive of the attack: Physical violence, sexual harassment went along with hate speech targeting her gender identity and sexual orientation.
Number of the perpetrators: More than one person (4 people).
Identity of the perpetrators: Private persons.
Number of witnesses: None (except several police officers)
Injury: She was injured and bleeding.
Medical care: She wanted to seek medical care but she was impeded by the police officers.
Psychological support: She received professional support afterwards.
Impact: Her private life and work conditions were affected badly.
Report to police: She did not report the incident later to the police.
Reasons for not reporting: She was afraid of both the perpetrators and the police. She thought that the police would not get interested with her case.
Case taken to court: Not taken.
CASE II

Gender and gender identity of the victim: Male

Sexual orientation: Gay

Age of the victim: 19

Place of the incident: State hospital

Geographic location: Edirne

Motive of the attack: He was sexually harassed at the hospital via hate speech on ground of his sexual orientation. He was chased afterwards.

Number of the perpetrators: More than one person

Identity of the perpetrators: Public official (health officers)

Number of witnesses: More than one person.

Reaction of the witnesses: They were content with watching.

Injury: He was there to seek his current health condition.

Medical care: He could not be able to apply to the hospital service.

Psychological support: He sought it among his friends.

Impact: Her private life and work conditions were affected badly.

Report to police: He reported the violation to the police.

Behaviour of the police: Irrelevant and mocking.

Case taken to court: Not taken.

PROTECTION BY LAW ENFORCEMENT AUTHORITIES REFUSED (5 INCIDENTS)

Gender and gender identity of the victims: Male in 1 incident, trans woman in 4 incidents.

Sexual orientation of the victims: Gay in 3 incidents, heterosexual in 2 incidents.

Age of the victims: Between 19 and 40 years old.

Geographic locations: 2 in Ankara, 3 in İstanbul.

VICTIMS REFUSED OR FIRED FROM JOB (15 INCIDENTS)

Gender and gender identity of the victims: Male in 6 incidents, female in 4 incidents, trans man in 1 incident, trans woman in 3 incidents, "unknown" in 2 incidents.

Sexual orientation of the victims: Gay in 9 incidents, lesbian in 3 incidents, heterosexual in 2 incidents, "not sure" in 1 incident.

Geographic locations: 3 in Ankara, 4 in İstanbul, 4 in İzmir, 1 in Diyarbakır, 1 in Erzincan, 1 "kept confidential"
COMMERCIAL SERVICES REFUSED (5 INCIDENTS)

Gender and gender identity: Male in 2 incident, trans woman in 3 incidents. 
Sexual orientation: Gay in 2 incidents, heterosexual in 3 incidents. 
Geographic locations: 3 in İstanbul, 1 in İzmir, 1 in Ankara. 
Place of the incidents: All of 5 incidents occurred in bars and cafes.

4. POLICE AND OTHER LAW ENFORCEMENT AUTHORITIES

According to the findings of the survey, the Turkish Police was the principal law enforcement authority sought by the victims and the witnesses.

The police was involved in 40 cases out of 239. However, the incidents were reported to police by use of official procedures in only 24 of them. This was due to several reasons: Firstly, in 6 incidents the perpetrators themselves were police officers. Secondly, in 4 incidents the police did not react or performed their duty although they were witnessing the attacks. Thirdly, most of the victims did not want to get in touch with police due to various reasons explained before. Lastly, in 2 incidents the offenders were detained persons who attacked the victims while they were under custody of police, but again the police did not react or the victims did not seek for this.

In addition to the very low number of complaints made to the police, which amounts to 10% of the total number of the incidents, the above-mentioned figure also exhibits a pattern on Turkish Police's current situation regarding human rights of LGBT people, as explained
Given the fact that neither hate crimes legislation nor any recognition or awareness of LGBT issues among law enforcement bodies and the legal system exists in Turkey, the two graphs below illustrate the police’s approach towards LGBT victims, in a way that is not be surprising. However, despite this fact, respondents still indicated in 8 cases where the police was described to be neutral or supportive. They even made mention of some incidents of which the police considered the phenomena as hate crime.
5. **Annex: Glossary**

**What are sexual orientation and gender identity?**

Sexual orientation is understood to refer to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

Gender identity is understood to refer to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.

**What is a hate crime? (according to OSCE)**

A hate crime is a crime that is motivated by intolerance towards a certain group within society. For a criminal act to qualify as a hate crime, it must meet two criteria:

- The act must be a crime under the criminal code of the legal jurisdiction in which it is committed;

- The crime must have been committed with a *bias motivation*.

“Bias motivation” means that the perpetrator chose the target of the crime on the basis of *protected characteristics*.

A “protected characteristic” is a fundamental or core characteristic that is shared by a group, such as “race”, religion, ethnicity, language or sexual orientation.

The target of a hate crime may be a person, people or property associated with a group that shares a protected characteristic.
### Actions that are crimes according to the national criminal law in most European countries

<table>
<thead>
<tr>
<th>Category</th>
<th>Subcategory</th>
<th>Description</th>
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<tbody>
<tr>
<td>1. Homicide</td>
<td></td>
<td>• Any attack on a person that causes loss of life.</td>
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<tr>
<td>2. Extreme physical violence</td>
<td></td>
<td>• Any attack on a person that potentially causes serious physical harm.</td>
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<td></td>
<td></td>
<td>• Any attack on property, for example by arson or petrol bombs, where there is the potential for people in the property to be killed, for instance if the building is inhabited or occupied at the time of the attack.</td>
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<td></td>
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<td>• Bombs, including letter bombs. This includes any viable device that either detonates or is defused, and therefore was life threatening. It also includes any device which is assessed to have been intended by its sender to be viable, even if after analysis it is found that it was incorrectly constructed and therefore would not have gone off.</td>
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<td></td>
<td>• Kidnapping.</td>
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<td>• Shooting.</td>
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<td></td>
<td></td>
<td>• Attack by weapon or any other object that can be used to harm.</td>
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<td></td>
<td>Sexual assault</td>
<td>An act of sexual violence can be committed by the victim’s partner (married or not), previous partner, family member or co-habitant.</td>
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<tr>
<td></td>
<td></td>
<td>• Rape⁴.</td>
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<td>• Sexual assault⁵.</td>
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<td></td>
<td></td>
<td>• Sexual exploitation by a helping professional, i.e. sexual contact of any kind between a helping professional (doctor, therapist, carers, teacher, priest, professor, police officer, lawyer, etc.) and a client/patient.</td>
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<td></td>
<td>Sexual harassment, including unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature.</td>
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<td>3. Assault</td>
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<td>• Any physical attack against a person or people, which does not pose a threat to their life and is not serious. This would include lower level assaults.</td>
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<td></td>
<td>• Attempted assault which fails, due to self-defence, or if the victim runs away.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Throwing of objects at a person or people,</td>
</tr>
</tbody>
</table>

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⁴ Rape can be defined as forced sexual intercourse, including vaginal, anal, or oral penetration. Penetration may be by a body part or an object. Rape victims may be forced through threats or physical means. Anyone may be a victim of rape: women, men or children, straight or gay.

⁵ Sexual assaults can be defined as unwanted sexual contact that stops short of rape or attempted rape. This includes sexual touching and fondling.
including where the object misses its target.

4. Damage of property

- Any physical attack directed against property, which is not life-threatening. This includes also the daubing of abusive slogans or symbols, or placing stickers or posters on property, including graffiti, or damage caused to property, where it appears that the property has been specifically targeted because of the fact that there is a perceived connection between the owner and the LGBTI communities.
- Damage to cars or other personal property belonging to members of LGBTI communities, where it is apparent that they have been targeted for this reason.

5. Arson

- Arson attacks on property where there is no threat to life, for instance if the building is uninhabited at the time of the attack.
- Failed attempts, for instance attempted arson where the fire fails to catch or the arsonist is disturbed.

6. Threats and psychological violence

- Any clear and specific threat, whether verbal or written. If the threat is not clear and specific then the incident should be recorded as Abusive Behaviour.
- Any 'bomb' which is assessed to be a hoax. This would include something that was designed to look like a real device but not intended to be viable, for instance if it does not contain any explosive material.
- Stalking, including repeated undesired contact (phone calls, emails, letters, show up unexpectedly, etc.), following or laying in wait for the individual, making threats to the individual or her/his family.
- Blackmailing to divulge publicly, or to family members or at work, that a person belongs to the LGBTI community.
- Restriction of freedom (e.g. locking up a person).
- Defamation, such as outing the LGBTI identity.
- Bullying (e.g. at school, at work place).

Other incidents with a bias motivation

- These incidents may or may not qualify as crimes under national law. They are elements of a LGBTI-phobic context and therefore are important to be monitored.

<table>
<thead>
<tr>
<th>Abusive behaviour</th>
<th>Hate speech</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Individually targeted verbal abuse, whether face-to-face or via telephone or answer phone messages. This includes abuse that is mistakenly directed at, or overheard by,</td>
</tr>
</tbody>
</table>
people who are not members of the LGBTI communities.

- **Individually targeted written** abuse (including emails, mobile phone text messages, and social media (facebook, twitter, etc.) as well as targeted letters (that is, those written for and sent to or about a specific individual). This includes written abusive comments about LGBTI communities or persons that are sent to individual people, regardless if they are members of the LGBTI communities. This is different from a mass mailing of abusive leaflets, emails or other publications, which is dealt with by the separate Literature category.

- **Not individually targeted** verbal or written abuse (e.g. general homophobic and transphobic comments not addressed to anyone in particular), including those channelled via the internet and social media.

- Public hate speech e.g. by politicians.

| Literature and Music | Mass-produced abusive literature or music that is sent to more than one recipient. This covers mass mailings rather than individual cases of hate mail, which would come under the category of Abusive Behaviour or Threats (depending on content).
|---|---|
| | Literature that is abusive in itself, irrespective of whether or not the recipient is from the LGBTI communities.

| Discriminatory incidents | Any form of discriminatory incidents which is not considered a crime. |