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Turkey: Pride march ban is a new low

Amnesty International is dismayed by the actions of the Turkish authorities, who on 28 June, prevented the annual Pride march from taking place after thousands had already gathered in Taksim, central Istanbul. Police arbitrarily used force against peaceful demonstrators attempting to celebrate Pride, who were targeted with water cannon, tear gas and pepper-ball projectiles.

According to the Istanbul Governor, who issued a statement yesterday, the authorities had decided to ban the march due to the risk of “provocations” with counter-demonstrators planning to target the Pride and the lack of a formal notification.

The decision to ban the march had not been communicated to representatives of the Pride despite the fact that they *had* been in discussions with the authorities in the days leading up to the march.

The events are the latest testament to the authority’s intolerance of peaceful protest, which fly in the face of Turkey’s obligations to uphold the right to peaceful assembly. The Turkish authorities should launch prompt, independent and impartial investigations into the use of force by police and commit to ensuring that future Pride marches can take place.

Pride marches have taken place in Istanbul annually since 2003 and have passed without incident, with an estimated 90,000 taking part in 2014. The authority’s previous respect for the right of Lesbian, Bisexual, gay, Transgender and Intersex (LGBTI) people to hold the annual Pride march in Istanbul was in stark contrast to their use of homophobic rhetoric and refusal to prohibit discrimination on grounds of sexual orientation and gender identity in law, a longstanding demand of lesbian, bisexual, gay, transgender and intersex (LGBTI) groups in Turkey.

Sunday’s unannounced Pride ban represents a new low in the failure to uphold the rights of LGBTI individuals in Turkey.

Thousands of police were on duty ahead of the planned start of the march at 5pm. The first police intervention to disperse the demonstrators took place at around 4.30pm, by which time an estimated group of up to 5,000 people had assembled in the immediate area. Police sporadically used tear gas, water cannon and pepper-spray pellets against peaceful crowds and small groups of demonstrators and revellers attempting to celebrate the pride throughout the afternoon and evening across the Taksim area.

In a statement yesterday, the Istanbul Governor responded that there had been no formal notification for the assembly [as required in Turkey’s law] and the authorities had received information that counter-demonstrators may target the pride. He stated that that proportionate force was used after demonstrators failed to disperse after having been warned to do so.

Amnesty International reminds the authorities that the right to peaceful assembly imposes obligations on the state, including to provide adequate security measures, and that the onus falls on the authorities to ensure that peaceful assemblies can go ahead. Notification requirements should not be used as a means for the authorities to frustrate the ability to hold assemblies, but rather to ensure that proper preparations are put in place.

The absence of formal notification for a long planned and widely publicized annual Pride march that had been discussed directly with the authorities cannot credibly be used to justify the response of the authorities in banning the march. The ban is a disproportionate restriction of the right to freedom of peaceful assembly. Whilst the right to freedom of peaceful assembly can be restricted to achieve a legitimate aim, including public security, such restriction should be proportionate and necessary to the aim sought.

The Pride ban came just two days after the Turkish authorities had pledged to the UN Human Rights Council to uphold the right to peaceful assembly and the rights of LGBTI individuals during its Universal Periodic Review (UPR).

Currently there are 45 cases pending execution in the *Oya Ataman group* of cases where European Court of Human Rights has found Turkey to have violated the right to peaceful assembly. This latest denial of the right to peaceful protest yet again underlines the need for the Turkish authorities to adopt a wholly different approach to street demonstrations, to re-draft its overly restrictive law regarding assemblies and to end the routine excessive use of police force at demonstrations.

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