

TURKEY'S CHALLENGE WITH LGBTI REFUGEES

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TURKEY'S CHALLENGE WITH LGBTI REFUGEES

In loving memory of Muhammad Wisam Sankari...



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Kaos GL

I. GENERAL FRAMEWORK AND PREAMBLE OF THE REPORT

This report has been prepared in accordance with the findings gathered within the scope of “Advancing Human Rights of Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) Refugees in Turkey Project”, which has been jointly implemented by Kaos Gay and Lesbian Cultural Research and Solidarity Association (Kaos GL) and United Nations High Commissioner for Refugees (UNHCR) in 2017.

This report aims to document the obstacles faced by LGBTI Refugees¹ in Turkey in enjoying and accessing the fundamental rights and services in various areas and in social life as well as the discrimination and violence they encountered on account of their sexual orientation, gender identity and intersex conditions (SOGIIC)².

LGBTI refugees, who fled their countries due to the discrimination and persecution they were exposed to on account of SOGIIC, are experiencing the same exposure in Turkey on account of their sexual orientation, gender identity, intersex conditions and/or gender expression in addition to the xenophobia against refugees. The violence fed by xenophobia and racism in parallel with homophobia and transphobia makes LGBTI refugees more fledgling and more vulnerable in their lives during their stay in Turkey. The perpetrators of this violence can both be state institutions and local people, as well as, other refugee networks, which can exclude LGBTI refugees from refugee communities by similar discriminatory and marginalizing practices.

The available background has been shaped by the personal experiences shared by LGBTI refugees, to whom we provided counseling via face to face in-depth interviews, e-mail and phone, regarding daily life in satellite cities³ (resident cities), fundamental rights and access to services and the social life.

1 “Refugee” was used as an umbrella term due to discrepancy between international and national terminology

2 Frequently Asked Questions Kaos GL, <http://www.kaosgldernegi.org/yayindetay.php?id=206> (Accessed on 9 July 2018)

3 Article 3 / z-hh of Implementing Regulation on the Law on Foreigners and International Protection defines satellite city as the provinces determined by the Directorate General, where foreigners requesting international protection are obligated to reside.

The recurrent experiences related to the relations with state institutions, housing, health, work and social life shared by LGBTI refugees make it possible to assign independent scales to each title particularly. However, it should be emphasized here that the aim is; not to collect data, but rather, to provide legal and social counseling through these interviews. In this context, during the interviews, a lawyer and social worker provided legal and social counseling to the refugees and the necessary referrals were made to relevant institutions, especially to the UNHCR, in case of emergencies.

The other aim by documenting the interviews and presenting the findings gathered is to draw the violations LGBTI refugees are exposed to in access to rights and services and social life to the attention of decision makers. For this reason, the quantitative data obtained through scaling has been subjected to qualitative analysis with a human rights perspective.

In this context, the information shared in the face-to-face semi-structured interviews conducted in the cities where LGBTI refugees under international and temporary protection predominantly reside, as well as the information shared by a total of 320 LGBTI refugees reaching Kaos GL via e-mail and phone are scaled by being divided into thematic titles. The main titles obtained from the scalings are; relations with state institutions, housing, health, work, social support, social life, violence and discrimination. In addition, in this report, the demographic data including country of origin, sexual orientation, gender identity, intersex conditions and satellite cities as the place of residence is also provided.

SOGIIC	City						
	Denizli	Yalova	Eskişehir	Istanbul	Kayseri	Other*	Total
Androgyny		1					1
Not Stated	10	8	8	11	1	9	47
Bisexual	1						1
Bisexual Man	1		1			1	3
Bisexual Woman						1	1
Gay	50	32	57	23	3	19	184
Intersex						1	1
Lesbian	18	7	12		1	3	41
Trans Man	6		3		3		12
Trans Woman	12	2	10	1		4	29
Total	98	50	91	35	8	38	320

With the field visits conducted in 2017, face-to-face interviews were made with a total of 208 LGBTI refugees and 112 LGBTI refugees were contacted by phone or e-mail. Within this scope, of 320 refugees, 47 persons did not state SOGIIC, whereas the others have identified themselves as an androgyny (1 person), a bisexual person (1 person), a bisexual man (3 persons), a bisexual woman (1 person), an intersex person (1 person), a lesbian (41 persons), a transgender woman (29 persons), a transgender man (12 persons) and a gay man (184 persons).

The table below shows the distribution of LGBTI refugees according to their country of origin.

SOGIIC	Country of Origin or Former Habitual Residence				
	Iran	Iraq	Syria	Other*	Total
Androgyny	1				1
Not Stated	29	3	10	5	47
Bisexual	1				1
Bisexual Man	2	1			3
Bisexual Woman	1				1
Gay	131	23	17	13	184
Intersex		1			1
Lesbian	39			2	41
Trans Man	11			1	12
Trans Woman	26	1	1	1	29
Total	241	29	28	22	320

*Other: Afghanistan, Morocco, Lebanon, Egypt, Pakistan, Tajikistan, Tunisia, Not Stated

As it is observed, the vast majority of people, who inform during interviews to have sought asylum primarily on account of SOGIIC, are Iranian refugees. It is observed that Iranian LGBTI refugees are more organized than refugees coming from other countries as observed by the numerous Iranian LGBTI organizations outside of Iran. For this reason, they can enjoy the networks for solidarity they developed among themselves and they can access to information more easily.

The information regarding the experiences shared by 320 LGBTI refugees show that the current problems may vary in satellite cities regarding its frequency and intensity; some problems may only exist in certain cities.

LGBTI refugees stated that they are exposed to verbal, physical violence and harassment in daily life; especially by local people and state actors representing different institutions. Although LGBTI refugees fled their country of origin due to discrimination and persecution they suffered on account of sexual orientation or gender identity, they stated that they have to conceal their sexual orientation and/or gender identity to avoid being subjected to violence in Turkey as well even though Turkey is the country of asylum; in that regard Turkey is not different from their country of origin; in addition, they stated that they also have to struggle with the exclusion of being a refugee in Turkey. However, it should be emphasized here that “concealment” may not be equally possible for each individual when it comes to sexual orientation and gender identity. At a point where the gender expression does not conform to the prevailing social norms, transgender women in particular are the targets of different types of violence in a range of areas, for instance at the hospitals or at their residential places.

In case of exposure to violence, when it comes to file a complaint, the attitude of law enforcement officers differs on account of sexual orientation and gender identity as well as of being a refugee, and even when there is a case of violence and open threat, the police can resist proper handling of a complaint for various reasons.

The experiences with house owners, real estate agents and neighbors during leasing and accommodation are negative in most cases on account of being LGBTI and being refugees. As the findings gathered show us, in Yalova for instance, the attitude of neighbors and house owners towards the refugees is often accompanied by xenophobia, as a result they do not rent out their houses to the refugees or the house prices become ridiculously high. Even if the house can be rented, during the accommodation, it is stated that the aforementioned people intervene in private life, they force the refugees to evacuate the house on account of SOGIC and they do not give the deposit money back. LGBTI refugees have emphasized that they often have to change homes because of these problems caused by house owners. However, it is possible to mention the various supportive mechanisms that LGBTI refugees have developed besides the problems related to housing. From those mechanisms, the most prominent ones are to receive support from social networks including their friends and acquaintances coming to Turkey earlier and to share the house with more than one person to share the rent costs. Nevertheless, one of the most important conclusions of the findings is that LGBTI refugees maintain a low public profile in order to avoid problems with their house owners and neighbors in any circumstances and in order not to be forced to evacuate the house.

In line with the information provided by LGBTIs, it is observed that although the job opportunities in the cities where LGBTIs are registered seem crucial factors for accessing to the right to work, LGBTIs are not employed or are dismissed by employers in case of their sexual orientation or gender identity is disclosed, even if the city provides job opportunities. Moreover, in addition to long working hours under heavy conditions, salary payment stands out as the most intensified problems among others regarding working life. LGBTI refugees, who are working mainly in restaurant/cafe, textile, industry, construction, furniture industry, stated that the homophobic/transphobic and xenophobic attitude they experienced by their employers and colleagues is another challenging factor while working under heavy working conditions. In addition to homophobia/transphobia and xenophobia they experience, lesbian refugees especially stated that they face gender based harassment by employers and colleagues in the workplace resulting them in quitting their job.

As LGBTI refugees stated, similar to what other refugee groups face, the most frequently experienced problems in accessing right to health is the language barrier and having no access to treatment due to the lack of healthcare facilities and of medical experts in satellite cities where they live. Inadequate communication with the doctors due to language barrier sometimes leads to wrong treatment; and most of the time, without having information regarding hospital and appointment procedures due to language barrier, there is no access to proper treatment, even, in case of serious health problems. Lack of proper healthcare facilities and medical experts in the cities where lived in can cause serious vital risks especially in case of chronic/infectious diseases and of complications suffered during gender re-assignment process. LGBTIs stated that they experience financial difficulties when they are referred to the nearest city for treatment in such cases.

Another important fact about the right to health is, the fact that the number of people stating that they are in need of psychological support is high. Due to the fact that psychological damage in LGBTI refugees caused by the exclusion, discrimination and violence experienced in Turkey on a daily basis in addition to the violence, abuse, rape, torture and threats faced in the country of origin, the need for psychological support attracts the attention as the most mentioned need regarding the access to the right to health.

Regarding the relations with institutions, the number of LGBTIs who stated that they were exposed to negative attitude on account of their sexual orientation and gender identity in the Provincial Directorate of Migration Management (PDMM) is highly remarkable. LGBTIs noted that the migration experts shouted at and humiliated them during the registration and sign-in checks.

The other point stated by LGBTI refugees is that, the long waiting periods for resettlement after their application for international protection is one of the most important issues that affect them adversely during their stay in Turkey. In addition to the issues in accessing the rights in Turkey, the fact that the resettlement quotas against the increase number of refugees have significantly limited the chances for non-Syrian and Syrian refugees for resettlement with long waiting periods for refugees. In this respect, one of the most mentioned points during the interviews is regarding the long waiting periods for interviews and the uncertainty of results within the process of resettlement to a third country.

At this point, this report aims to attract the attention of decision makers to obstacles and violations faced by LGBTI refugees accessing to rights and services and to provide them a tool in making policies in order to ensure LGBTIs stay safe in Turkey. As a result of geographical limitation to 1951 Convention relating to the status of refugees LGBTI refugees like other non-European refugees in Turkey do not have access to durable solutions.

A. Methodology of The Research

This report has been prepared within the scope of “Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) Refugees in Turkey Project”, which has been jointly implemented by Kaos GL and UNHCR in 2017, in accordance with the findings gathered from the interviews made with 208 LGBTI refugees in five⁴ different cities where LGBTI refugees reside mostly between 15 March 2017 and 12 September 2017 and from the information shared by 112 LGBTI refugees who reached Kaos GL via e-mail and phone; that means from 320 LGBTI refugees in total.

A semi-structured interview technique was used in order to allow the refugees to express themselves more easily during the interviews. During the interviews, LGBTI refugees were informed that they have a right to decline to answer the questions asked by the project team and to end the interview without explanation. In addition, they were informed about the project conducted and the report intended to be written and their consent were obtained for using the information they provide in the report anonymously. In addition to providing the information about the project and the report verbally; the information on the legal and social support provided by Kaos GL, on the scope of the project and the report and on the interview, were provided in a written format in Farsi and

4 Denizli, Eskişehir, Yalova, İstanbul, Kayseri.

Arabic. During the interviews, their consent was requested to be audiotaped in order for maintaining the information and no audio recording was made unless the participant permitted.

During the interviews, the project team was accompanied by interpreters, who speak Farsi and Arabic. Particular attention has been paid to the interpreter available in the interviews to have a good understanding of LGBTI and gender related vocabulary and terminology due to the vulnerability and expectations of the participant group. Interviews were held in the meeting rooms of hotels in city centers, so that LGBTI refugees could reach easily and feel themselves safer. In order to avoid violations of privacy, each refugee was assigned a separate appointment time for the interviews and when these appointments were assigned, the working hours and conditions of the refugees were also taken into consideration. One hour is provided for each interview, but depending on the information shared by participant, interviews sometimes lasted up to two hours.

One of the research methods, the snowball method was used for reaching the refugees. In reaching LGBTI refugees, first of all, the information about the field visit conducted by the project team was shared with the contacts of Kaos GL Refugee Program. In addition, the project team got the support of Association for Solidarity with Asylum Seekers and Migrants (ASAM), Human Resource Development Foundation (HRDF) and Social Policies Gender Identity and Sexual Orientation Studies Association (SPoD) for the announcement of interview dates. Following the announcements, interviews were held on the basis of appointment requests from LGBTI refugees and they stated that they could share the information of the interviews with other LGBTI refugees who could not reach the announcements.

In order not to jeopardize the safety and privacy of the LGBTI refugees interviewed, the anonymity of them was protected and the date and place of the interviews were never shared in the report.

B. Situations of LGBTIs in Turkey

There is no discriminatory regulation against LGBTIs in Turkey apart from Turkish Armed Forces Health Aptitude Regulation and Law No. 5275 On the Execution of Penalties and Security Measures.⁵ However, the ambiguous terms such as “public morality”, “obscenity” and “the Turkish family structure” in those legisla-

5 Turkish Armed Forces Disciplinary Law, <http://www.resmigazete.gov.tr/eskiler/2013/02/20130216-1.htm>, Constitutional Court 2015/68 E 2017/166 K, <http://kararlaryeni.anayasa.gov.tr/Karar/Content/6e55c0b8-bb09-480f-9737-57c9b0199fa0?excludeGerekce=False&wordsOnly=False> (Accessed On 9 July 2018)

tions are used for limiting or preventing LGBTIs from enjoying their basic rights. Although the legislation does not discriminate LGBTIs explicitly, there is no legal regulation or social policy of the state for combating discrimination and hate crimes committed on account of SOGIIIC.⁶

The judges and government officials in Turkey actively use those ambiguous legal provisions as a basis for the discriminatory practices against LGBTI people. The state disregards all the recommendations provided by the treaty bodies monitoring the conventions highlighting explicitly that discrimination against LGBTIs are unacceptable and that rights of LGBTIs should be protected by law and it disregards all the efforts on promotion and protection of them by criminalizing LGBTIs.

In spite of all the criticism raised by civil society against, Law on Human Rights and Equality Institution of Turkey, which does not prohibit the discrimination on account of SOGIIIC, entered into force after being published on the Official Gazette.

Hate crimes against LGBTIs in Turkey: The definition of “hate crime” took place in Turkish Penal Code when the “a draft law consisting of a collection of amendments to different laws to improve fundamental rights and freedoms” has passed, however, the current version does not propose any protection against hate and discrimination on account of SOGIIIC. The aforementioned article stipulates a penal sanction in case of the discrimination is hate-motivated. However, the article does not include any regulation on the definition of ‘hate’ and how it can be identified as well as not including any regulation on collecting statistical data on hate crimes. This does not comply with the OSCE (Organization for Security and Co-operation in Europe) standards.

The state neither collects data on homophobic and transphobic hate crimes, nor investigates the motive of prejudice in investigation and prosecution of those crimes. Therefore, LGBTI organizations document the hate crimes that took place in media. Between the years 2010 and 2015, Kaos GL has documented 58 hate crimes in its reports.⁷ Again, since 2013, Kaos GL has been monitoring the

6 Kaos GL Situation of Lesbian, Gay, Bisexual, Transgender and Intersex Employees in Private Sector in Turkey, http://www.kaosgldernegi.org/publication_detail.php?id=195 , Kaos GL Situation of LGBTI's Public Sector Employees in Turkey, http://www.kaosgldernegi.org/publication_detail.php?id=169 (Accessed on 9 July 2018)

7 This statistical data is formed as a result of a collection of 7 Reports of Kaos GL; LGBTI People and Hate Crimes Report 2010, <http://www.kaosgldernegi.org/kutuphanedetay.php?id=23> , Kaos GL Human Rights Report 2011, <http://www.kaosgldernegi.org/yayindetay.php?id=43> , Monitoring Report on Human Rights Violations Based on Sexual Orientation and Gender Identity 2012, <http://www.kaosgldernegi.org/yayindetay.php?id=4> , 2013 Monitoring Report on Human Rights

hate crimes motivated by homophobia and transphobia and has been publishing the data gathered in a report.⁸

There are many statements, which are targeting LGBTIs or LGBTI organizations directly, are legitimizing discrimination and hate, and especially which belong to public figures often take place in media. There is no effective legal mechanism against such statements and the cases filed against such often result in the dismissal of charges.⁹

Freedom of Expression of LGBTIs: Freedom of expression supporting 'gender and sexual diversities' often face legal limitations. Despite there are no legal limitations on public discussion of SOGIIIC in the legislation of Turkey, being LGBTI is associated with "public morality", "prostitution" and "obscenity" and related publications are censored. Especially LGBTI news, magazines and dating websites are arbitrarily banned without any reason given.¹⁰

In addition to these, following the ban on the German LGBTI Film Days which supposed to take place on 16 and 17 November 2017 in Ankara Büyülu Fener Cinema, all the "events organized by LGBTI NGOs" in Ankara were banned indefinitely on 19 November 2017. In the statement published on the website of the Ankara Governorate, it is stated that this ban is imposed on the pretext of "social sensibilities and sensitivities", "public safety", "protection of general health and morals" and "protection of the rights and freedoms of others", and the banned events are listed as "film screening, movies, theater plays, panel, interviews, exhibition, etc."¹¹

Violations Based on Sexual Orientation and Gender Identity, <http://www.kaosgldernegi.org/yayindetay.php?id=64> , 2014 LGBTI Human Rights Monitoring Report, <http://www.kaosgldernegi.org/yayindetay.php?id=107> , 2015 Monitoring Report on Human Rights Based on Sexual Orientation and Gender Identity, <http://www.kaosgldernegi.org/yayindetay.php?id=143> , 2016 Monitoring Report on Human Rights Based on Sexual Orientation and Gender Identity, <http://www.kaosgldernegi.org/yayindetay.php?id=176> (Accessed on 9 July 2018)

- 8 2013 Report on Homophobia and Transphobia Motivated Hate Crimes Committed in Turkey by Kaos GL, <http://www.kaosgldernegi.org/yayindetay.php?id=63> , 2014 Report on Homophobia and Transphobia Motivated Hate Crimes Committed in Turkey by Kaos GL, <http://www.kaosgldernegi.org/yayindetay.php?id=123> , 2015 Report on Homophobia and Transphobia Motivated Hate Crimes Committed in Turkey by Kaos GL, <http://www.kaosgldernegi.org/yayindetay.php?id=175> , 2016 Report on Homophobia and Transphobia Motivated Hate Crimes Committed in Turkey by Kaos GL, <http://www.kaosgldernegi.org/yayindetay.php?id=186> (Accessed on 9 July 2018)
- 9 Kaos GL 2017 Media Monitoring Report, <http://www.kaosgldernegi.org/yayindetay.php?id=203> , Decision of the Constitutional Court on Kaos GL Association, Application no: 2014/18891, <http://www.anayasa.gov.tr/icsayfalar/basin/kararlarailiskibasinduyurulari/bireyselbasvuru/detay/pdf/2014-18891.pdf> (Accessed on 9 July 2018)
- 10 Kaos GL, LGBTI People's Freedom of Expression on the Internet, <http://www.kaosgldernegi.org/yayindetay.php?id=165> (Accessed on 9 July 2018)
- 11 Kaos GL, LGBTI+ Rights in the Time of Bans, <http://kaosgl.org/sayfa.php?id=25036> (Accessed

Freedom of Peaceful Assembly of LGBTIs: 2015 LGBTI Pride March was not allowed by Istanbul Governorate on the pretext of “Ramadan”. Police stifled the march by interfering through using unproportional force with tear gas, water cannon and steel bullets. Many people were injured during the police intervention and the complaints filed, however no result could be obtained because the investigations were denied.¹²

In 2016 and 2017, both Trans Pride and LGBTI+ Pride March were banned on the pretext of “security” without providing any legitimate ground. The police intervened in both marches by using disproportionate force; many people were injured and arrested as a result. The announcement of the pride’s press statement was not allowed in both years.¹³

By the same token, March Against Homophobia and Transphobia on the occasion of 17 May International Day Against Homophobia and Transphobia were banned by Ankara Governorate in 2016 on the pretext of “some social sensitivities”. The plea of annulment against this order was denied by the Ankara 15th Administrative Court. As a result, the March, which was held peacefully for 8 years, could not take place for the last two years.¹⁴

In addition to all these situations and factors, the fact that Turkey has been governed by Decree Laws and conditions for more than a year, has aggravated prohibitive, confining and supervisory approaches against all social groups. Since the associations were closed down by Statutory Decrees, there are pressures on opponents, the suppressive discourse and practices on the media do not pave the way for claiming the rights and therefore the visibility of hate crimes against LGBTIs has decreased in terms of both the victims and the relevant intermediary mechanisms. Political priorities have changed dramatically. There is a steering away increasingly from the political environment that can support the necessary ground for awareness raising activities for civil society, media, the families, and most importantly, for public authorities.

on 9 July 2018)

12 Kaos GL, 2015 Monitoring Report on Human Rights Based on Sexual Orientation and Gender Identity, <http://www.kaosgldernegi.org/yayindetay.php?id=143> (Accessed on 9 July 2018)

13 Human Rights Observation Report of 19 June 2016 Trans Pride March, <http://www.kaosgldernegi.org/yayindetay.php?id=149> , (Accessed on 15 December 2017)

14 <http://kaosgl.org/sayfa.php?id=21704> (Accessed on 9 July 2018)

II. APPLICATIONS FOR INTERNATIONAL PROTECTION ON ACCOUNT OF SOGIIC IN LEGAL SYSTEM OF TURKEY

The Law on Foreigners and International Protection (LFIP), which is the very first law on the field of immigration and asylum, entered into force on 11 April 2014. With LFIP, in order to implement policies and strategies regarding immigration and asylum, to ensure coordination between relevant institutions and organizations, and to undertake all the works and activities regarding the foreigners' entry, stay, exit or their deportation, international protection, temporary protection and protection of survivors of human trafficking; the Directorate General of Migration Management (DGMM) as part of the Ministry of Interior was founded in Turkey. Turkey has ratified 1951 Convention relating to the Status of Refugees and its 1967 Protocol. While 1967 Protocol lifted the time and geographical limitation to the refugee definition adopted in the 1951 Convention, Turkey ratified the 1967 Protocol with the geographical limitation – based on Article 1 (b) of the Convention.” Therefore, with Article 62 of the law, it is stated that a person who applies for asylum as a result of events occurring outside European countries¹⁵ on account of fear of persecution due to five reasons shall be granted “conditional refugee status”¹⁶ upon completion of the assessment process.

15 Member States of Council of Europe

16 LFIP Article 61 Refugees: “A person who as a result of events occurring in European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his citizenship and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted refugee status upon completion of the refugee status determination process.” , LFIP Article 62 Conditional Refugee: “A person who as a result of events occurring outside European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted conditional refugee status upon completion of the refugee status determination process. Conditional refugees shall be allowed to reside in Turkey temporarily until they are resettled to a third country.”

According to the LFIP, interviews to determine the refugee status and assessment of the applications are made by the DGMM. The geographical limitation foresees that a person who applies for asylum as a result of events occurring outside European countries and is granted conditional refugee status is allowed to stay in Turkey until their resettlement to a third country. UNHCR conducts refugee status determination under its Mandate only for the most vulnerable individuals. However, being granted a refugee status by the UNHCR according to the 1951 Convention does not guarantee to get conditional refugee status in Turkey (and vice-versa). Yet, UNHCR's decisions are not binding for the administrative authorities in Turkey.

Asylum system of Turkey does not yet have clear guidelines for assessing specific grounds under the international refugee definition, which also includes the convention ground of "membership of a particular social group" within which LGBTIs on account of SOGIIIC are usually considered.

Similarly, the Implementation Regulation on LFIP, which entered into force on 17 March 2016 after published in the Official Gazette, did not provide any clear method for the assessment of such applications. In addition to that, it is still debatable whether the migration experts making refugee status determination interviews have adequate knowledge on SOGIIIC or whether they are objective and without bias on how the assessment is conducted. Furthermore, Article 67 of the LFIP on persons with special needs does not include LGBTIs and the law does not have any provisions regarding the vulnerabilities of LGBTI refugees.

Article 60 of Council of Europe Convention on preventing and combating violence against women and domestic violence states that state parties shall take the necessary legislative or other measures to ensure that gender-based violence against women may be recognized as a form of persecution within the meaning of Article 1, A (2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection. Similarly, Article 4 of the Convention on Fundamental rights, equality and non-discrimination provides a clear non-discrimination clause on "sexual orientation, gender identity. It is not known that to what extent the officials in Turkey take the Convention into account in assessing asylum applications, because in the assessments made so far regarding the status, no reference is seen to the Istanbul Convention.

With Statutory Decree No. 676 (KHK in Turkish); of the applicants of international protection and the applicants under international protection, "those, who are administrators, members, supporters of the terrorist organizations or who are administrators, members, supporters of a criminal organizations", "those, who

threaten public order or public safety or public health”, “those, who are considered to be related to certain organizations defined as terrorist organizations by international institutions and organizations”, may be deported with an order at any time during the each step of international protection proceedings. Again, with the amendment made by Statutory Decree No. 676, resorting to judicial objection against this deportation order on basis of the above-mentioned reasons will not suspend the deportation process. This provision clearly is not complying with Constitution and 1951 Geneva Convention, which Turkey parties.

The uncertainty of the asylum procedure in Turkey and especially ambiguous concepts in the legislation leave refugees to the administrative bodies' tender mercies. Statutory Decree Law No. 676 paved the way for arbitrary deportation of refugees and the inability to control this arbitrariness. The fact that the uncertainty in the assessment of asylum applications of LGBTI refugees and that Statutory Decree Law No.676 makes the deportations such easy and uncontrolled reinforced the insecure environment.

III. SITUATION OF LGBTI REFUGEES IN TURKEY AND ASYLUM PROCEDURE

A. International Protection

The situation of LGBTI refugees in Turkey are evaluated here under two different titles as “international protection” and “temporary protection”; due to the fact that Syrian LGBTI refugees under temporary protection in Turkey and LGBTI refugees coming from other countries subject to different asylum procedures and that the problems they face are different although they share common issues. In this context, in the light of the obtained data, the situation of the LGBTI refugees who are under international protection will be evaluated here firstly. Within this scope, 292 LGBTI refugees under International Protection and 28 LGBTI refugees under Temporary Protection were reached and this part of the report was prepared in line with the information obtained.

Motive to Leave the Country of Origin

It is possible to collect the motives of LGBTI refugees under international protection to leave their country of origin under 3 main titles in general. As the motive to leave their country of origin, of the LGBTI refugees who were reached, 55 people stated that they fled for their identity, 81 people stated that they fled for being targeted by family members and 84 people stated that they are fleeing from torture/cruel treatment/threat/rape/discrimination.

Motive to Leave the Country of Origin							
SOGIIC							
	Not Stated	Bisexual Man	Gay	Lesbian	Trans Man	Trans Woman	Total
Due to Identity	1	1	36	6	6	5	55
For Fleeing from Torture/Cruel Treatment/Threat/Rape/Discrimination	6	1	58	11	2	6	84
For Being Targeted by Family Members	3	1	49	18	5	5	81

* In order for living openly and freely as LGBTI without needing to hide sexual orientation/gender identity
 * In order for living freely with the partner/ for reunification with the partner

* Violence/treat/rape/torture by state actors on account of SOGIIC
 * Being exposed to discrimination / threat/ harassment/rape on account of sexual orientation/gender identity
 * Death threats
 * Fleeing due to sodomy laws of the country of origin
 * Disclosure/outing, being detained by police

* Disclosure/Being Outed to the family members as a Gay/Lesbian/Bisexual/Trans/ Queer Person
 * Forced to leave due to conservativeness of family members/relatives, family pressure
 * Being exposed to the violence inflicted by the family on account of SOGI
 * Forced to marry on account of SOGI

Provincial Directorate of Migration Management

Refugees need to be registered by PDMM in the satellite city to which they are referred. After the registration, they wait for the status determination interviews.

It is identified that LGBTI refugees still call PDMM as “Foreigners’ Department” and they consider the PDMM officers as police officers.

LGBTI refugees stated that they were subjected to verbal abuse by some officers and other refugees in PDMM, and that they were mocked due to their sexual orientations and gender identities.

Of the LGBTI refugees who were reached, 79 people stated that they experienced negative attitudes of the officers in PDMM; 39 percent of them stated

that they experienced negative attitude, yelling and degrading treatment by the officers; 28 percent of them stated that they experienced mistreatment/insult/degrading treatment during registration; and 10 percent of them stated that they were asked “Why you are here?” in a negative manner.

SOGIIC	Negative Attitude of PDMM Officers/ Migration Experts
Not Stated	1
Gay	53
Lesbian	15
Trans Man	1
Trans Woman	9
Total	79

In Turkey, there are no reception centers and shelters¹⁷ for the moment. Refugees who apply international protection are settled in satellite cities determined by DGMM and Ankara, Istanbul and İzmir are not among

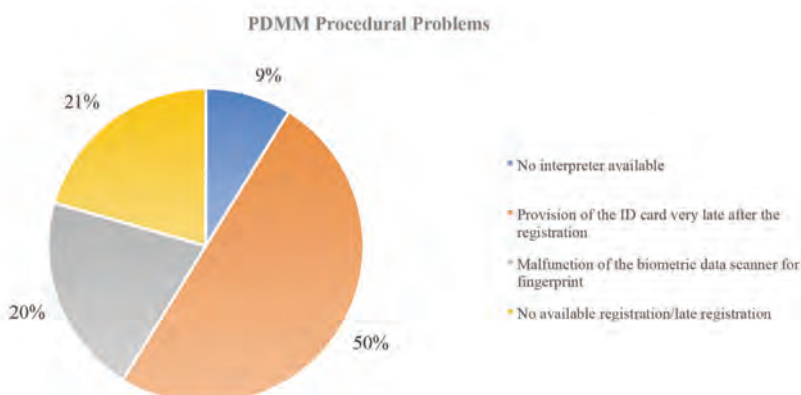
these satellite cities. According to the satellite city practice, refugees are free to reside anywhere within their registered satellite cities; however, they need a permission from the PDMM to travel out of the city.

In the interviews, it is observed that although there are common issues of LGBTI refugees, the problems differ because of different implementations in satellite cities especially in terms of access to rights and communication with PDMM.

Of 33 LGBTI refugees who mentioned procedural problems, 50 percent of them stated that their ID cards were not provided in a timely manner following the registration; 21 percent of them stated that they could not register due to problems in the registration system or that they could register too late; 20 percent of them stated about the biometric data scanner malfunctions; 9 percent of them stated that could not express themselves because there was no interpreter available. Although there is no evidence identified that these obstacles relate to the refugees' identities as SOGI, it is the perception of the LGBTI refugees that it may as well be.

¹⁷ There is only one shelter in Yozgat which is specifically for single woman, single mothers.

SOGIIC	PDMM Procedural Problems
Not Stated	1
Gay	21
Lesbian	8
Trans Woman	3
Total	33



“When I went to PDMM, they treated me badly. When I approached PDMM at the first time, I was very ill and I told this to the officer. Then the officer said, “You will go to the hospital first and pay 40 TL” and did not register me. A week later, when I was very sick, the officer registered me. I had ID yet the officer said ‘You will have to pay to the hospital’.

The experience of a refugee who is a trans man

“I had a serious illness, we went to the hospital. We paid 300 TL before getting ID. I went to the PDMM to get an ID and they said, ‘Why you came, we did not invite you’. For one and a half years I lived without an ID.”

The experience of a refugee who is gay

“We made the first interview in English in the PDMM. But it was very difficult. They did not speak English. They provided a date for ID. When I go for ID, they collected my fingerprints. When I go for fingerprints they told that the scanner was out of function for months. No fingerprints for 9 months.”

Experience of a refugee who is lesbian

ASAM Partner Registration¹⁸

UNHCR Turkey supports DGMM as the authority responsible for refugee protection in Turkey. While supporting the implementation of LFIP, the UNHCR advocates for adherence to international refugee protection principles and standards by providing policy advice, developing DGMM's capacities and providing technical and material support. In this sense, UNHCR encourages applicants for international protection to maintain their legal status in Turkey by closely following up on their cases with their respective provincial directorate.

In addition to supporting development and implementation of national legal framework for refugee protection, UNHCR will support DGMM as committed to finding durable solutions outside of Turkey, subject to space made available by the resettlement countries, through the process of UNHCR Refugee Status Determination and Resettlement.

Within this context, UNHCR through its implementing partner ASAM also registers asylum-seekers and refugees in Ankara, however application for international protection are to be lodged to the PDMs in provinces. Hence, while refugees and asylum seekers may directly approach PDMs in the provinces, they may also approach UNHCR in Ankara directly. If they initially approached to UNHCR, they are referred to provinces designated by DGMM to apply for international protection.

Regarding their knowledge on asylum procedures, of the LGBTI refugees who were reached, 78 people stated that when they come to Turkey they know where to apply for asylum; 69 people stated that they learned this information from their friends, relatives, partner who came earlier; 9 people stated that they learned this information via websites. Of the LGBTI refugees who were reached, 9 people stated that when they came to Turkey they did not know where to apply for asylum and that they learned this information from other refugees they met by chance.

Did You Know Asylum Procedures Before?	
Learned from friends (relative/partner) who came earlier	69
Learned from other refugees met by chance	9
Learned from Internet/NGO/blogs	9
Total	87

18 UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) ENDED REGISTRATION AND REFUGEE STATUS DETERMINATION PROCEDURES IN TURKEY ON 10 SEPTEMBER 2018 <https://help.unhcr.org/turkey/information-for-non-syrians/registration-rsd-with-unhcr/>

In addition to that, of the LGBTI refugees who were reached, 111 people stated that they were able to express SOGI during registration of ASAM; 4 people stated that they were able to express SOGI but they were uncomfortable because they had to do it while being in the same room with others; 6 people stated that they did not express SOGI thinking that it is dangerous.

Were You Able to Express SOGIIC During Registration?				
SOGIIC	Yes	Yes, but had to do it while being in the same room with others	No/thinking that it is dangerous	Total
Not Stated	3			3
Bisexual Man	2		1	3
Gay	74	4	3	81
Lesbian	13		1	14
Trans Man	6			6
Trans Woman	13		1	14
Total	111	4	6	121

Of the LGBTI refugees who were reached, 62 people stated that they experienced problems during ASAM partner registration. According to this, 26 refugees stated that due to the lack of queue system, they had to wait for long periods; and that they came to registration with their belongings because they did not have information about that there was no secure place to keep belongings. 19 refugees stated that they experienced mistreatment by security officers; 17 refugees stated that they experienced violation of privacy and mistreatment by registration officer and interpreter.

Problems Experienced During Pre-Registration at ASAM	
Lack of queue system, long waiting periods, lack of secure place to keep belongings	26
Mistreatment by security officers	19
Mistreatment by registration officer/interpreter/violation of privacy	17
Total	62

“At ASAM¹⁹ pre-registration, the interpreter asked if I was beaten in Iran. I said ‘Yes, but I did not have any wound or marks in that regard’, however this was translated as just ‘No’. Other interpreters were very good, but this one was very aggressive. I spoke to another interpreter. I said this person did not translate properly.”

The experience of a refugee who is lesbian

“Ankara ASAM was very crowded and unsteady. Everybody is waiting in the same place. It was very crowded and mixed. Even so, the officer did not even ask why I came, at first. Later the officer asked it. The officer asked then why you did not tell before. I said ‘You did not ask it’. I was waiting in the waiting room. A woman and a man came there; they were ASAM’s workers. They asked if I was ‘LGBTI’ person among all the other people. They filled out a form like a poll. They said they were always filling the answers to questions regarding being a LGBTI people among others”.

The experience of a refugee who is a gay

Of LGBTI refugees, who came to Turkey and attended ASAM partner registration, 97 people stated they chose the satellite cities they are living by themselves but their selection differs according to their causes. However, LGBTI refugees stated that they had no knowledge of daily life in these cities and of these cities before preferring to go to these cities.

Services Provided by ASAM

In the cities where the LGBTI refugees live, the organization from which refugees can get highest number of services appears as ASAM. This is due to the inadequacy of the institutions providing services by government institutions or due to their lack of interest regarding the problems of LGBTI refugees or due to the fact that no service is provided because of the prejudices of the officers in these institutions and the fact that ASAM is the biggest implementing partner of UNHCR and having offices in more than 50 cities.

Of 51 LGBTI refugees, who mentioned their problems with ASAM, 41 percent of them stated that the referrals were not provided adequately; 29 percent of them stated that the service quality was low due to the crowd; 10 percent of them stated that they experienced problem with interpreter; 10 percent of them stated that they experienced problems with social worker; 8 percent of them stated that they thought that self-dramatization is a must for receiving help; 2 percent of them stated that they thought that their problems were not communicated to UNHCR.

¹⁹ It is an abbreviation of the English name of the Association for Solidarity with Asylum Seekers and Migrants (SGDD/ASAM);. Among the refugees it is known as ASAM, not SGDD.

Services Provided by ASAM						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	Kayseri	Other*	
Not Stated	2					2
Bisexual Man			1			1
Gay	9		9	2	1	21
Lesbian	5	1	5	1	2	14
Trans Man	2		2	2		6
Trans Woman	5		2			7
Total	23	1	19	5	3	51

*Other: Balıkesir

“For example, when I went to ASAM in the winter, I told them that my wife and my children were in a very difficult situation. They did not help. They ignored me. I told my kids were living in a cold place, but they did nothing. We do not need to go to ASAM. Because they do nothing.”

The experience of a refugee who is trans man

“The officers in ASAM work very well. They are very helpful towards LGBTI friends. Even if we go without an appointment, they help us.”

Experience of a refugee who is lesbian

Right to Housing

The refugees in Turkey, in general should meet all the costs during their stay in Turkey by themselves. There is no systematic and regular financial assistance provided by the state in regards to housing, nor is there any mechanism to provide counseling on housing regarding meeting the needs in an appropriate and secure way.

The interviews we conducted revealed that LGBTI refugees are experiencing serious difficulties in terms of housing. The financial impossibilities, the language barrier, the discrimination, the inability to benefit from the networks of solidarity among the refugees resulted in the failure of many refugees to meet their need for housing.

In addition to that there is no certain neighborhood for meeting the need of housing shown to the refugees came to Turkey, refugees are forced to find a place where they stay with their own means. Language is one of the biggest bar-

rier in finding a house. This situation becomes even more aggregated by other obstacles faced by LGBTI refugees.

Many LGBTI refugees stated that the house owners increase the rent just because they are foreigners and in some cities they cannot find a house due to SOGIIC, especially for those who do not conform to the prevailing gender roles.

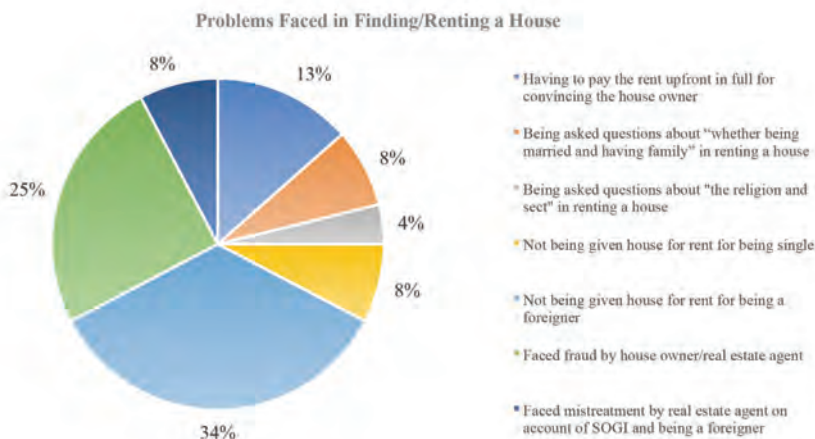
Some refugees said they conceal SOGIIC in order to find a house and that they are afraid of being evacuated when they are disclosed. As they have fear to come out with their identities against their will, that this situation will turn into a problem for them, they are uncomfortable and control their talks in their houses or their curtains are closed constantly.

Having a fear of being outed of their identities makes LGBTI refugees to be invisible in society and not to behave as themselves, as well as, makes refugees to be careful in their private lives, even in their homes.

During the interviews, 38 people stated that they had problems in renting a house. Although some of these issues are applicable to all refugees, they may be aggravated on the ground of SOGIIC. Of these LGBTI refugees, 34 percent of them stated that they were refused for being a foreigner while renting a house; 25 percent of them stated that they faced fraud by house owner/real estate agent; 13 percent of them stated that they had to pay the rent upfront in full for convincing the house owner; 8 percent of them stated that they faced mistreatment by real estate agent due to SOGIIC; 8 percent of them stated that they were asked questions about “whether being married and with family” in renting a house; 8 percent of them stated that they were refused because they were single; 4 percent of them stated that they were asked questions about “the religion and sect” in renting a house.

Problems Faced in Finding/Renting a House					
SOGIIC	City				
	Denizli	Yalova	Eskişehir	Other*	Total
Not Stated	1		1		2
Gay	7	11	8		26
Lesbian	1				1
Trans Man	2				2
Trans Woman	5	1		1	7
Total	16	12	9	1	38

*Other: Ankara



“Real estate agents are asking ‘Are you married? Why are you alone? Where is your family?’ I did not think Turkey is such a place. ‘Why did not you get married until now? Are you Sunni? Or are you Shia?’ they asked. Neighbors around again ask, ‘Why did not you get married? What were you doing in Iran? Where will you go?’ I feel here that they do not want two men standing side by side. Even when they say hello, they think twice. Actually, it’s not clear that we’re gay. A neighbor came and asked, ‘Do you have a guest?’ For that reason, we are not comfortable at home; we think they want to learn something from us. We do not even open the curtains, we do not want them to see two men in the house. The house owner took the rent upfront for 8 months. The first day a neighbor came and said, ‘What are you doing here?’. He treated badly when we said we were Iranians. We rent a small house, 1000 TL per month. The house owner decreased the rent to 850TL for 8 months, because we paid the rent upfront in full. The house owner said that ‘This house is actually 1200 TL, but I gave you with a discount.’”

The experience of a refugee who is gay

The data obtained from the interviews reveal that in some cities, being a foreigner and a refugee directly expresses a membership to a certain group according to the local people. At this point, providing the information on country of origin to the local people, including the real estate agent, house owner and neighbors, causes a profiling in terms of LGBTI refugees and makes the process of finding a house and accommodation even more challenging.

“Maybe we could not have had these problems if this city was a little bigger. Because now all the real estate agents say that ‘You either are a fag or infidel’ when I told them that I am Iranian.”

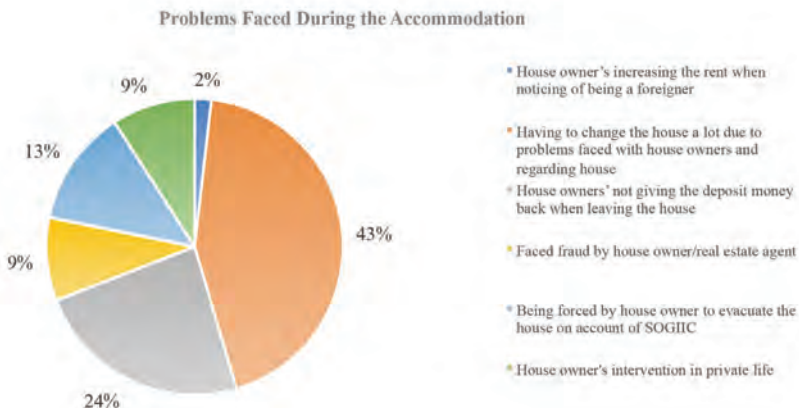
The experience of a refugee who is gay

The number of interviewees who stated that they faced problems during accommodation is 43. 43 percent of them, a majority of these refugees, stated that they had to change the house a lot due to problems faced with house owners and regarding house; 24 percent of them stated that house owner did not give the deposit money back when leaving the house; 13 percent of them stated that they were forced by house owner to evacuate the house on account of SOGIIC; 9 percent of them stated that they faced fraud by house owner and real estate agent; 9 percent of them stated that they faced house owner's intervention in private life; 2 percent of them stated that house owners increased the rent because of being a foreigner.

Some of the interviewees provided details about the content of these problems when they stated that they had problems with the house owners. For this reason, the numbers of those who stated that they have been forced to change their houses because they are having problems with the house owner without providing anything related to contents of the problem, as well as, the numbers of those who provided specific details about the problems they faced are provided separately. The aim behind this is to explain the problems as much in detail as possible experienced with the house owner.

Problems Faced During the Accommodation					
SOGIIC	City				Total
	Denizli	Yalova	Eskişehir	Other*	
Not Stated	1		1		2
Gay	15	5	5	3	28
Lesbian		1		3	4
Trans Man	2				2
Trans Woman	6			1	7
Total	24	6	6	7	43

*Other: Balıkesir, Burdur



“How many houses I changed ... Either the house was not good or the house owner was not good. I stayed in unlicensed homes. Because it is shanty house. They were renting a house for a few people. Civil registry office could not register me on that house because it was seen that someone else was living there. I could not get the deposit money when I left the second house. I went to another house. He was getting a lot of money from me. For the bills, he said, “It cost that much money” and approached my door. I rented another house nearby. I lived there for four months. Then I had a roommate. That house was a foreclosed house. The manager came and said. They do not know we’re gay. I do not want the house owner to know me because of violence and homophobia. Once the house owner saw the rainbow flag on my bed then told me to ‘Lift it,’”.

The experience of a refugee who is gay

In the case of the LGBTI refugees who had to change house several times due to all these problems faced in accommodation process, this process becomes financially and psychologically annoying and in most cases the LGBTI refugees have intense efforts to conceal SOGIIC in order to maintain a low profile. Although a reasonable relation can be established with the house owner, the other problems arise with the neighbors and due to the unsafe atmosphere.

“I am currently staying with my partner. So far, we did not face a problem with the house owner and neighbors. Because we always conceal ourselves. Only just my partner looks a bit physically different, sometimes my partner faces leering by them.”

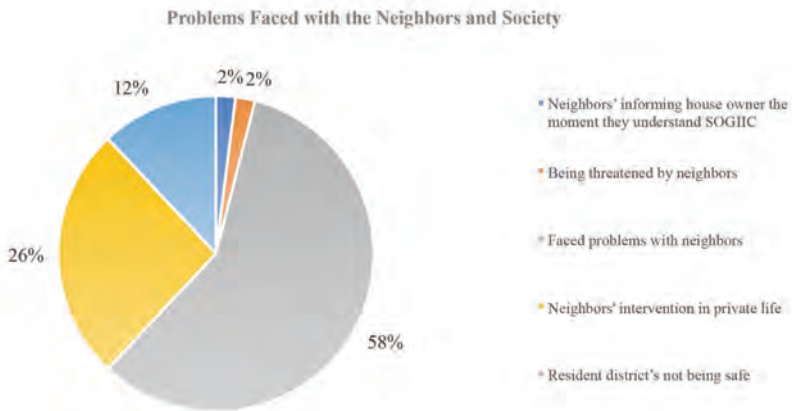
Experience of a refugee who is lesbian

“I never delay to pay the rent, in order not to have a problem with the house owner.”

Experience of a refugee who is trans woman

During the interviews, 40 people stated that they had problems with neighbors and the environment during the accommodation process. Of these 40 people, 58 percent of them stated that they had problems with their neighbors in general; 26 percent of them stated that the neighbors intervened in private life; 12percent of them stated that the neighborhood was not secure, 2 percent of them stated that faced outing by the neighbors to house owner; and 2 percent of them stated that they were threatened by neighbors.

Problems Faced with the Neighbors and Society					
SOGIIC	City				
	Denizli	Eskişehir	Kayseri	Yalova	Total
Not Stated	1				1
Gay	5	10		13	28
Lesbian	4			1	5
Trans Man	2		1		3
Trans Woman	1	2			3
Total	13	12	1	14	40



Regarding housing, being under surveillance brought by the spatial coexistence automatically, leads LGBTI refugees to have intense efforts to conceal their sexual orientation and gender identity from their neighbors. Otherwise, neighbors may out them to house owners, resulting in to be forced to evacuate the house or change the house again.

“Once the manager came and asked, ‘Are you a transvestite?’ I said, ‘No, I have a child in Iran.’ Then I called the real estate agent and asked why the house owner asked so. The agent said “I’m on it.”

Experience of a refugee who is trans woman

“After renting the house, the neighbors disturbed me a lot. They created problem why my house owner gave the house to me, as a single and a foreigner person. A friend of mine was forced to evacuate the house because of neighbors even though there was no problem with the house owner.”

The experience of a refugee who is gay

LGBTI refugees live in neighborhoods where rental rates are often lower due to financial impossibilities, which also bring security problems from time to time in terms of neighborhood. Homophobia, transphobia related violence can be experienced more intensely when the visibility of LGBTI refugees coincide with the unsafe atmosphere.

In the light of the interviews, it is observed that various coping mechanisms for housing have been formed against the problems stemming from being a foreigner and LGBTI. 54 people stated that they lived together with more than one person to share the rent; 33 people stated that they got support from friends; 107 people stated that they received support from social networks. Especially in the housing process, the social relations established in the country of origin before coming to Turkey is so beneficial, since it provides a temporary solution to housing by staying at a friend's or acquaintance's house for a temporary period, especially in the first days of asylum application. Accessing to refugee groups on the internet in the satellite cities and some refugees acting as intermediaries in finding a house by getting a commission are the most frequently used methods in finding a house.

In process of finding a house, the high prices asked for rent for being a foreigner and being forced to work with low payments require LGBTI refugees to share the houses with more than one person for sharing the rent costs. Although the refugees would prefer to live alone or have problems with their roommates, they maintain living together since they cannot afford to rent another house because of their financial problems.

Sharing the House with more than One Person to Share the Rent Costs						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	Kayseri	Other*	
Not Stated	2					2
Gay	11	9	16	1	6	43
Lesbian		2	2		1	5
Trans Man	2					2
Trans Woman	1		1			2
Total	16	11	19	1	7	54

*Other: Amasya, Burdur, Isparta, Zonguldak

Refugees Get Support from Friends Regarding Housing				
SOGIIC	City			
	Denizli	Eskişehir	Yalova	Total
Not Stated	3			3
Gay	13	5		18
Lesbian	1	4		5
Trans Man	2			2
Trans Woman	4		1	5
Total	23	9	1	33

Refugees Get Support from Social Networks Regarding Housing						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	Kayseri	Other*	
Not Stated	3		1		1	5
Bisexual Man			1			1
Gay	25	14	23	1	9	72
Lesbian	4	2	6		3	15
Trans Man	4			1		5
Trans Woman	7	1	1			9
Total	43	17	32	2	13	107

*Other: Adana, Ankara, Balıkesir, Bolu

Right to Health

One of the most positive developments brought by LFIP is access to the right to health. According to this, refugees benefit from general health insurance following their registration. Although this development has solved many problems, there are still serious difficulties faced in accessing the right to health in practice.

The language creates a great barrier in accessing the right to health. Unfortunately, there are no interpreters available in the hospitals. Although ASAM and HRDF provide LGBTI refugees with interpretation support at the hospitals in

some cases, not everyone can benefit from this service. In small cities where there is no NGO working with refugees such as Yalova, Kirikkale; no refugees can access the interpretation support in their own satellite cities. This leads to serious problems.

Of 35 LGBTI refugees who were reached and mentioned the problems they faced in accessing right to health, 60 percent of them stated that they were unable to explain doctors the medical conditions due to language barrier; 25 percent of them stated that they had no access information regarding hospital procedures due to language barrier; 11 percent of them stated that they faced wrong medical treatment due to the lack of interpreter; 4 percent of them stated that they were unable to access to psychological support in their own language.

No Access to Right to Health Due to Language Barrier					
SOGIIC	City				
	Denizli	Yalova	Eskişehir	Other*	Total
Not Stated			1	1	2
Gay	5	10	2	1	18
Lesbian	1	2	7		10
Trans Man			2		2
Trans Woman			2	1	3
Total	6	12	14	3	35

* Other: Not Stated, Isparta, Kirikkale

No Access to Right to Health Due to Language Barrier



"I have ovarian fibroma. The doctor prescribed a suppository. I could not understand what the doctor said because there was no interpreter. I thought that I should swallow it. I consumed it and suffered diarrhea for 4 days. For this reason, I am afraid to go to a doctor."

Experience of a refugee who is lesbian

"I faced many problems at the hospital. There was no interpreter at the hospital; nobody cares about us. For this reason, we are seeking help from our friends for interpretation assistance when we are sick. But some friends cannot come because they have to work. Once, I suffered a kidney issue, I was poisoned. The doctor did not speak English; likewise, I did not know Turkish. The doctor prescribed a wrong medicine because I could not tell what my problem is. I became worse when I used the medicine."

The experience of a refugee who is gay

"We wanted to speak English at the hospital. The doctor could not understand and got angry. The doctor was telling us 'If you cannot speak Turkish why do you come to the doctor?' In my next visit, I went there with a friend who speaks Turkish, however I cannot go there with my friend all the time. I had to continue my treatment due to my illness, but I could not because of this."

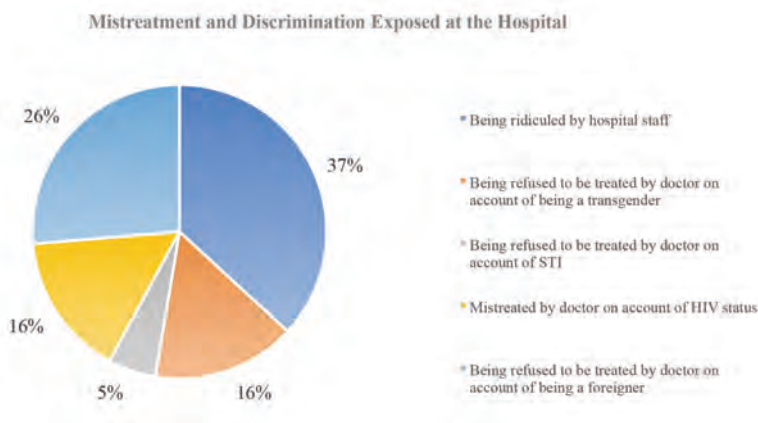
The experience of a refugee who is gay

LGBTI refugees are exposed to mistreatment and discrimination at the hospitals on account of their SOGIIC, of being a foreigner and type of their illnesses. Of 18 LGBTI refugees who were reached, 37 percent of them stated that they were ridiculed by people in the hospital; 26 percent of them stated that they were refused to be treated by doctor on account of being a foreigner; 16 percent of them stated that they were refused to be treated by doctor on account of their gender identity; 16 percent of them stated that they were mistreated by doctor on account of HIV status; 5 percent of them stated that they were refused to be treated by doctor on account of sexually transmitted infections (STI). These attitudes deter LGBTI refugees from going to hospitals and they cannot access treatment in the end.

Mistreatment and Discrimination Exposed at the Hospital						
SOGIIC	City					
	Denizli	Yalova	Eskişehir	Kayseri	Other*	Total
Not Stated			1			1
Gay	1	4			1	6

Mistreatment and Discrimination Exposed at the Hospital						
SOGIIC	City					
Lesbian	3		1			4
Trans Man	1		1	1		3
Trans Woman	1		3			4
Total	6	4	6	1	1	18

*Other: Not Stated



“I regularly went to the hospital for one and a half months. The doctors treated me very badly. I was in bad situation. There was blood in my urine. The only person who treated me well was the professor. The attitude of the doctor having red hair was terrible. The doctor told that I should wait for a month for the MRI. I had to wait. The doctor having red hair in the hospital said, “I do not want to examine such people. It is better if they maintain the pain.”

The experience of a refugee who is trans man

“I was ridiculed by the nurses in front of my partner. The secretaries are always leering at me in the hospital.”

Experience of a refugee who is trans woman

“I needed endoscopy for GI. I did not take my pills because you need to be hungry for this. I waited there till half past three. When I told the doctor that I am HIV positive, the doctor said ‘Stand up, hurry’. And stopped the process. Then told me to do it in Istanbul. I still do not undergo endoscopy; my appointment is for 5 months from now.”

The experience of a refugee who is gay man

"I had to undergo a minor surgery. I went to the state hospital. My appointment was at 8 but I could see the doctor at 14; because they attached priority to the locals. On top of that, the nurse treated me badly."

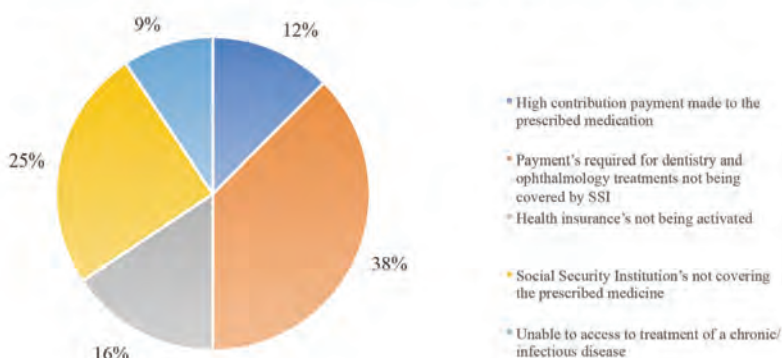
The experience of a refugee who is gay man

Of 29 LGBTI refugees who stated the problems faced in the system of General Health Insurance; 38 percent of them stated that the dentistry and ophthalmology treatments were not covered; 25 percent of them stated that the prescribed medication was not covered; 16 percent of them stated that their health insurance was not activated; 12 percent of them stated that contribution payment made to the prescribed medication was high; 9 percent of them stated that they could not access the treatment of a chronic/infectious disease within the coverage of General Health Insurance which has an important role in accessing the right to health, which is one of the most fundamental rights. Problems other than the activation of health insurance of refugees are linked to the scope of the General Health Insurance. Citizens also face the same problems.

No Access to Treatment Due to the Problems Faced Regarding Social Security System					
SOGIIC	City				Total
	Denizli	Yalova	Eskişehir	Other*	
Not Stated		1			1
Bisexual Man			1		1
Gay	7	1	6	2	16
Lesbian	2	1	4		7
Trans Man			2		2
Trans Woman	2				2
Total	11	3	13	2	29

*Other: Burdur, Kırkkale

No Access to Treatment Due to the Problems Faced Regarding Social Security System

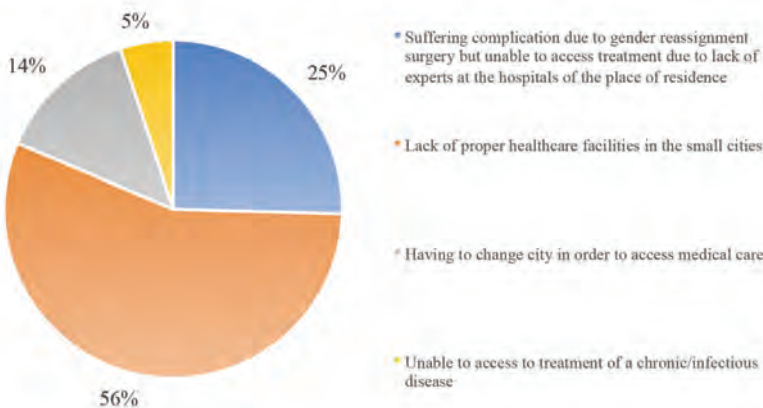


Especially in small cities, LGBTI refugees stated that they could not access health care due to the lack of healthcare facilities and of experts in cities. Of 48 LGBTI refugees who mentioned this problem, 56 percent of them mentioned the lack of proper healthcare facilities in the small cities; 25 percent of them stated that they were suffering a complication due to gender reassignment surgery but there were no experts at the hospitals of the place of residence; 14 percent of them stated that they had to change the city in order to access medical care; 5 percent of them stated that they were not able to access to the appropriate treatment of a chronic/infectious disease.

No Access to Health Care Due to the Lack of Healthcare Facilities and of Medical Experts						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	Kayseri	Other	
Not Stated	1	4	3		1	9
Gay	1	5				6
Intersex					1	1
Lesbian	1	2				3
Trans Man	8		2	1		11
Trans Woman	8	1	7		2	18
Total	19	12	12	1	4	48

*Other: Balıkesir, Burdur, Iğdır, Isparta

No Access to Health Care Due to the Lack of Healthcare Facilities and of Medical Experts



"The most important thing for me is my health. I was diagnosed with HPV. Doctors here do not even know what this disease is. They prescribe ordinary drugs. 'Go and have a cancer then you can get a treatment' they say. They send me to the university hospital, but they are testing me there for HIV. That's why I have to go to a private hospital. I got tested for HPV at the private hospital. My test results show that I have three types of HPV."

Experience of a refugee who is lesbian

"I am HIV positive. We went to the state hospital. The doctor said 'Nothing can be done here' and referred my case to another city. I spent most of my time travelling for this. Later I travelled for tests. 1 month later I went there for medical ultrasound. It was like a hell for me. I spent lots of money on these tests. I was suffering frequent urination. I have prostate cancer now. I have stomach problems as well."

The experience of a refugee who is gay

Psychological Support

LGBTIs can need psychological support due to the violence they were exposed to in the country of origin and due to the adaptation problems, homophobic and transphobic discrimination and violence experienced in Turkey. The fact that LGBTI refugees get inadequate psychological support unfortunately results in suicides or suicide attempts.

Regarding psychological support, they got support from contracted psychiatrists and clinic of UNHCR, or of state hospitals or of NGOs in satellite cities. Since hospitals do not have interpreters, they can access psychological support especially from ASAM and HRDF offices in the satellite cities. During the interviews, LGBTI refugees stated that they could not express themselves easily due to the fact that they got the psychological support through interpreters, the experts did not have adequate awareness with regard to gender, sexual orientation and gender identity and prejudices.

People Stating that They are in Need of Psychological Support						
SOGIIC	City					
	Denizli	Yalova	Eskişehir	Kayseri	Other*	Total
Not Stated	2	2			4	8
Bisexual	1					1
Bisexual Man			1		1	2
Gay	15	5	23	1	11	55

People Stating that They are in Need of Psychological Support						
SOGIIC	City					
	Lesbian	4	2	8	1	1
Trans Man	3					3
Trans Woman	4	2	2		2	10
Total	29	11	34	2	19	95

*Other: Burdur, Balıkesir, Isparta, Ankara, Kırıkkale, İzmir Kastamonu, Bilecik, Ordu, Zonguldak

The fact that the number of LGBTI refugees in need of psychological support is so high proves that they faced many problems both in the country of origin and in Turkey. Because the violence and discrimination they faced in the country of origin continue in Turkey with the addition of xenophobia, prolonged waiting times in Turkey, their inadequate financial means due to difficulties of getting work permits; the need for the psychological support by LGBTI refugees gradually increase.

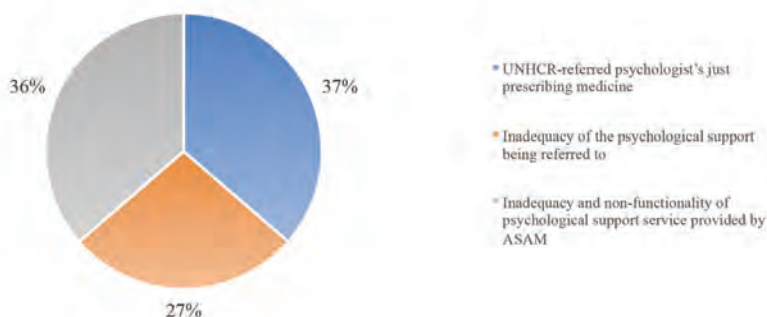
If there is something more important than increasing the number of institutions and organizations, psychologists and psychiatrists providing psychological support, that will be increasing the quality of existing psychological support. Psychologists and psychiatrists must have adequate knowledge regarding sexual orientation, gender identity and intersex condition.

Of 9 LGBTI refugees who were reached mentioned the quality of the psychological support they got, 37 percent of them stated that the psychiatrist referred by UNHCR did nothing but prescribing medicine; 36 percent of them stated that psychological support service provided by ASAM was not adequate and functional while 27 percent of them did not specify from which institution they received support, they stated that the psychological support was insufficient.

Problems Related to the Quality of Psychological Support						
SOGIIC	City					
	Denizli	Yalova	Kayseri	Eskişehir	Other*	Total
Gay			1		2	3
Lesbian	1	1		2		4
Trans Man	1					1
Trans Woman	1					1
Total	3	1	1	2	2	9

*Other: Isparta

Problems Related to the Quality of Psychological Support



"I experienced many problems in Iran. I explained ASAM those problems, 'Go to a psychiatrist,' they said. I visited a psychiatrist at a state hospital. I was prescribed medicine; they are over now. But I think what I need is not the drug, but to talk."
 Experience of a refugee who is lesbian

Right to Work

Refugees should meet their costs by themselves during their stay in Turkey. Although the new regulation made on work permits simplifies the requirements and procedure for work permits, unfortunately it is not enough to solve the problems per se. The fact that refugees are seen as cheap labor, the lack of knowledge of employers and refugees about obtaining a work permit, the lack of any social policy of the state in this respect; make the refugees, who have to work to maintain their lives, to work under bad conditions and make them vulnerable to exploitation. Besides, the decision of deportation can be made by Statutory Decree No. 676 without any room for resorting to judicial proceedings against this deportation order. In some cities, it has been observed that deportation order taken by the authorities for the people working without a work permit in the pretext of that they threaten "public order or public safety or public health".

In the interviews, it is identified that the employment opportunities and areas of work differ according to the cities. LGBTI refugees state that especially in cities where there are many factories, they work in the factories and in summers they can find jobs in cafes and restaurants more easily. They state that on the condition that getting time off for one day maximum per week, they work 12 hours a day with a payment of 30 to 40 TL per day, or of 700 to 800 TL per month. They also stated that they can only pay the rent and bills with that money and they concealed the SOGI in order to find the job. Trans people, on the other hand, state

that they cannot find a job because of the appearance, whereas some refugees who are trans stated that in order to find a job, they had to dress up as “men” or “women” in a way that they find it contrary to their own gender identity.

LGBTI refugees also stated that they have to work under very bad conditions, in places where occupational safety is not available, they are unable to find a job in accordance with the professional skills and sometimes unable to get a payment for the work done. In addition to that, the refugees, who stated that they are under the risk of deportation due to lack of work permit and raids on their workplace from time to time, stated that they are physically and psychologically exhausted and they are afraid of filing a complaint in case of any violation of their rights.

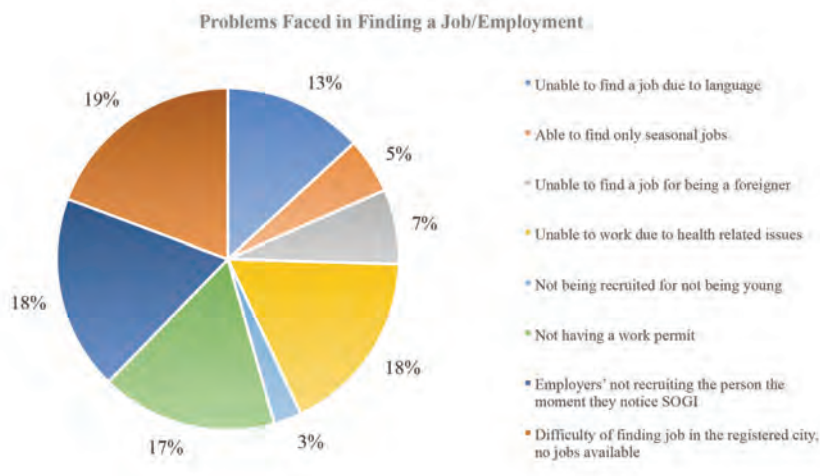
Area of Work					
SOGIIC	Restaurant/ Cafe	Textile	Farm/Industry/ Construction/ Furniture Industry	Other (barber, tailor, cleaning etc.)	Total
Not Stated			1	2	3
Bisexual Man	2		1		3
Gay	27	19	15	16	77
Lesbian	7	8	1	16	32
Trans Man	6	1	2	1	10
Trans Woman	2	3	1		6
Total	44	31	21	35	131

In the interviews, 84 people stated that they had problems in finding a job/recruitment process. They also stated that they dress up and act “appropriately” in order to find a job and that they conceal sexual orientation or gender identity.

Of LGBTI refugees who stated that they face problem in finding a job/recruitment, 19 percent of them stated that it is difficult to find jobs in the registered city, no jobs available; 18 percent of them stated that employers do not give a job due to SOGI; 18 percent of them stated that they are unable to work due to health related issues; 17 percent of them stated that it is hard to find a job and to work due to the lack of a work permit; 13 percent of them stated that they are unable to find a job due to language; 7 percent of them stated that they are unable to find a job for being a foreigner; 5 percent of them stated that they are able to participate only in the seasonal employment; 3 percent of them stated that they are unable to find a job for not being young.

Problems Faced in Finding a Job/Employment							
SOGIIC	City						Total
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	
Androgyny		1					1
Not Stated	1	2	2				5
Bisexual Woman						1	1
Gay	18	15	17	3	2	2	57
Lesbian	6	1	3				10
Trans Man	1						1
Trans Woman	4	1	2			2	9
Total	30	20	24	3	2	5	84

*Other: Burdur, Isparta, Kastamonu, Kırıkkale, Uşak



“We could never tell our families why we are here; because they do not know that we are refugees. When we learned the facts, we realized that we also had to work in the restaurant. But the problem is that the number of Iranians is increased. That’s why there is no job. Employers in restaurants do not give a job due to our age! 90 percent of our friends work in dishwashing. Some of them work as electrician, but they were already electrician in Iran. It is getting harder to find a job in restaurants in winters because they are not busy in winters. Azeri speaking friends can understand them a bit. But there is no job for us.”

The experience of a refugee who is gay

“Some say that work permit is possible, some others say that you can get it when you go to Ankara. I work in a part time job. When inspectors arrive, I sit around a table like a customer. Do we have to pay it if they impose a fine? Everyone at work says, ‘You got minimum wage from the state, the state provides you with salaries.’ Then I reply them, ‘If I am getting a salary why I work here for so many hours.’”

The experience of a refugee who is gay

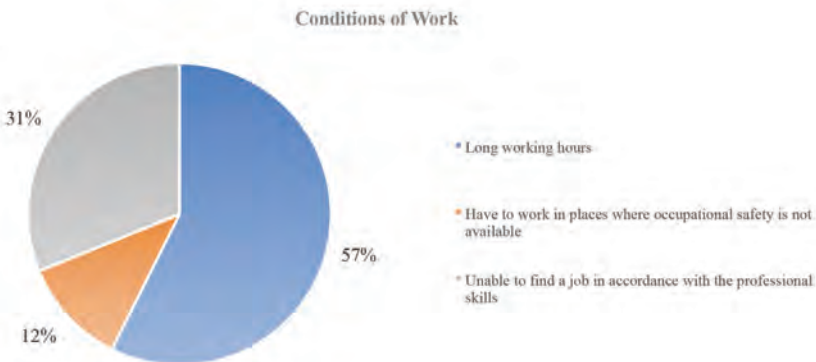
“My family did not know where I am, so I decided to work in textile sector. I had a poker face. But the employers want to do more with the girls there. After 2 days of working, they are telling me ‘Off you go’. I told them that I just wanted to clean the toilets, but they did not allow me there to work.”

Experience of a refugee who is lesbian

A total of 50 LGBTI refugees, who were reached, mentioned the working conditions. Of those, 57 percent of them, that means more than half of them, stated that they have long working hours; 31 percent of them stated that they cannot work in accordance with the professional skills; and 12 percent of them stated that they have to work in places where occupational safety is not available.

Conditions of Work							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	Total
Not Stated	2		1				3
Gay	10	7	12	2		1	32
Lesbian	3	3	2		1	1	10
Trans Man	2		1				3
Trans Woman	1					1	2
Total	18	3	16	2	1	3	50

*Other: Burdur, Kırıkkale



“The salary is so low, they pay very little. Our problem is the work permit, in fact we have skills to do more, but we have to work in low-level jobs. I am actually a computer programmer, I know the servers very well but it is not possible for me to work like that. We always face insulting in low-level jobs because there is no work permit. Of course, this affects our psychological situation in a bad way.”

The experience of a refugee who is gay

“I learned that we do not have work permit. One person at ASAM said, ‘You will stay here for 2-3 years, go and find a job.’ I thought that we could work, when he told me this. When I went to PDMM, they said ‘you cannot work here it is illegal’ and I got a bit worried. My friends helped me for 3-4 months. Of those friends, a person arranged a job for me in t-shirt textile. I accepted the job. When I went there, the job was very hard, it was heavy. Salary is around 750 TL per month. I thought this was good. I thought my situation would be better if I had roommates. My family did not know I am a refugee. I said I was going to work, they did not know that I am gay. Since my friends were arrested due to not having work permit, I got scared after that. I am afraid to go to jail. They did not give me that month’s salary after I left. I could not even file a complaint because it was illegal.”

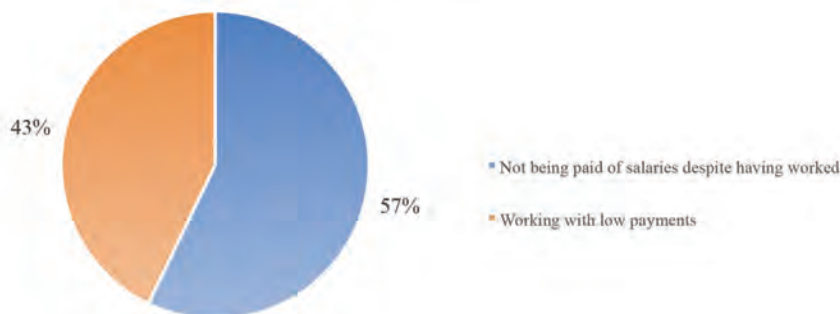
The experience of a refugee who is gay man

The LGBTI refugees, who said that they work under heavy conditions with low payment, stated that they often could not get the payments and they could not complain at all. Of 66 refugees who complain about the payments, 57 percent of them stated that they are unable to get a payment for the work done and 43 percent of them stated there is low payment for the job.

Problems Faced in Getting a Payment						
SOGIIC	City					
	Denizli	Yalova	Eskişehir	İstanbul	Other*	Total
Not Stated	2	1			1	4
Gay	19	11	12	1		43
Lesbian	5	4	1		1	11
Trans Man	2		2			4
Trans Woman	2		1		1	4
Total	30	16	16	1	3	66

*Other: Burdur, Kırıkkale

Problems Faced in Getting a Payment



“We do not have work permits. We work from time to time but we do not have any insurance; they do not pay our money. Once the police arrived, the employer said, ‘Go go go!’ After this, I also worked elsewhere and they did not pay me yet. I worked for a month and did not get any payment. Even they do not employ me if they learn that I’m a trans woman.”

Experience of a refugee who is trans woman

“I started working here in the second month of my arrival. Three weeks later, the employer said, ‘Why do not you smile at the male clients?’ They said ‘Never come back’. They also did not pay me my salary.”

Experience of a refugee who is lesbian

“I work as a tailor. I get salary on weekly basis. I work between 8:00 and 18:00, for 200 TL per week. I only have one off day: Sunday. Please excuse me but my employers are horrible people, regardless of they are male or female. Here is 100 times worse than Iran. They want to go to bed with you in return for a job, because you are a foreigner.”

Experience of a refugee who is lesbian

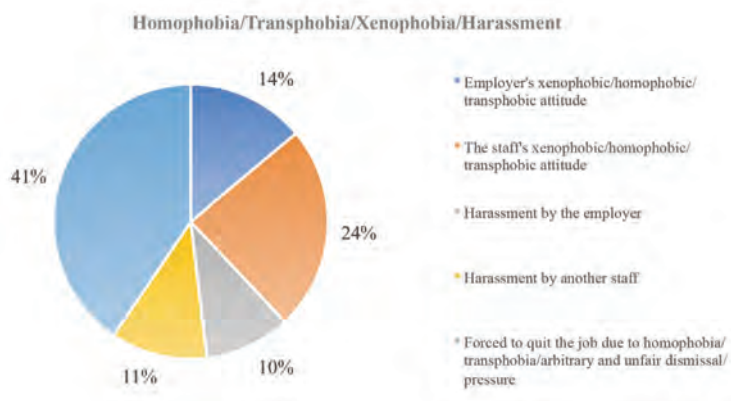
“I have been working since the seventh day of my arrival. I’m a porter on textile sector. They pay me 30 liras whereas they pay 70 liras for Turkish people. I cannot speak Turkish. I do not have work permit and my salary is so low. While working on the textile, from my photos my Iranian friends realized that I am gay and I got fired. They did not pay me the last 85 liras. Then I started to work in sanding and lining work. I did not want anyone to know that I am gay because I had problems.”

The experience of a refugee who is gay

Of LGBTI refugees who were interviewed, 74 people stated that they faced homophobia, transphobia, xenophobia or harassment in their work life. They emphasized that they have to hide themselves in order not to lose their jobs, the refugees stated that they are exposed to various insults through xenophobia and that they dismissed from their work due to disclosure. Especially lesbian refugees stated that, they were subjected to sexual harassment by employers in Turkey and they often had to quit their jobs due to that reason or they were dismissed when they came out.

Of 74 refugees, who mentioned this issue, 41 percent of them stated that they were dismissed arbitrarily or due to homophobia/transphobia or they had to quit due to pressures; 24 percent of them stated that they faced the staff's xenophobic/homophobic/transphobic attitude; 14 percent of them stated that they faced employer's xenophobic/homophobic/transphobic attitude; 11 percent stated that they were exposed to harassment by another staff; 10 percent stated that they were exposed to harassment by employer.

Homophobia/Transphobia/Xenophobia/Harassment						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	
Not Stated	2	1				3
Bisexual Man	1		1			2
Gay	18	7	14	1	1	41
Lesbian	8	4	3	1	1	17
Trans Man	1		2	1		4
Trans Woman	5				2	7
Total	35	12	20	3	4	74



"I worked at a hairdresser in Iran. I worked here in the same job but unfortunately there is no difference between the two countries. Everyone here is homophobic too. I am afraid of both Iranians and locals here. My male colleagues want a relation with me. I refused and I lost my job."

Experience of a refugee who is lesbian

"I work in the organized industry. I work in an iron factory. I act like a straight²⁰ person. I laugh when they are joking. For example, even if I wear green, everyone looks. I do not even wear any earrings. At work, I carry very heavy things. 25 kg each, I am crying sometimes why am I here, I was a student, why I fell here."

The experience of a refugee who is gay

"I'm not working right now. I worked for a year but they did not pay me. They were constantly dismissing me. I worked at one-year intervals. I was in the electric work lately. But they constantly were asking 'Where is your girlfriend, why did not you get married, why did you come here'. 'There is a problem in that' they talked behind me among themselves. I am dressing up appropriately, but despite this they still interfered my personal life. Actually, we do not like these kinds of clothes but we have to wear those. Working is a big problem. That job was too hard and very dangerous for me. I repeatedly fell down the stairs. I could not breathe. I used medicine. The doctor said you should not continue this work."

The experience of a refugee who is gay

"They do not know at work that I'm a trans man. When I sit next to them I hear such kind of things, I cannot cry but I cannot find the word in return. 'These are the sinners of Allah, and Allah created them only to punish them. If we see them while eating, it always causes upset stomach."

The experience of a refugee who is trans man

Social Support and Social Service

LFIP and Implementation Regulation on LFIP stipulates that that refugees in need shall have access to social aid and services. However, it is not clear how the refugees in need will be identified and which criteria will be used for identifying which refugees will get the social aid. Although in the Article 106 of Implementation Regulation on the LFIP the criteria are listed, no procedural regulation in the determination of the refugees in need. According to the legislation, social aid and service support for those in need are provided in accordance with the procedures and principles determined by the Ministry of Interior and Ministry of Family and Social Policies. However, it is not clear according to which criteria those ministries make the assessment or whether they have a certain procedure for determining refugees in need without waiting for their application.

20 The concept, which is used to describe heterosexual people.

In LFIP, procedural facilities and privileges for people in special needs are stipulated. Nevertheless, while defining the refugees in special needs, LGBTIs are not included in this group and there is no regulation regarding their vulnerabilities in this law. This makes it harder for LGBTIs to access to social services and social support.

In that vein, in Implementation Regulation on LFIP, special circumstances of applicants with special needs shall be taken into consideration during their application. It is apparent that there is no appropriate environment provided, where LGBTI refugees can express themselves and their specific needs. The fact that they are not able to express themselves as well as the lack of knowledge of the officers getting the application on gender, sexual orientation, gender identity and intersex condition and their prejudices prevents LGBTI refugees from expressing themselves, and as a result of this, from benefitting from social services.

The fact that Law on Human Rights and Equality Institution of Turkey does not provide a clear non-discrimination clause and not include SOGIIC as the ground means the institutionalization of discrimination against LGBTIs; since no protection is provided.

Impartiality and operation of the Human Rights and Equality Institution of Turkey (TİHEK- Türkiye İnsan Hakları ve Eşitlik Kurumu), which was founded with the law, have been criticized by the civil society, which has highlighted that the law and TİHEK are not functional regarding prevention of discrimination.

Social Services and Child Protection Agency (SHÇEK- Sosyal Hizmetler ve Çocuk Esirgeme Kurumu), which had been operating before the establishment of the Ministry of Family and Social Policies (MFSP)/ Aile ve Sosyal Politikalar Bakanlığı (ASPB), issued a circular regarding "Procedures for Asylum Seekers and Refugees" in 2010. Article E of this circular mentions that refugees should be provided with the facilitated services in community centers and family counseling centers; the programs and projects; should be developed to integrate refugees with the people of the region in cooperation with the public institutions and organizations, NGOs and local administrations; Provincial Directorate of Social Services should cooperate with NGOs working in that field for psychosocial support services when needed. Although this article included in that circular, LGBTI refugees cannot benefit from social support and cannot access social services. LGBTI refugees stated that institutions ignore them when it comes to provide services to them.

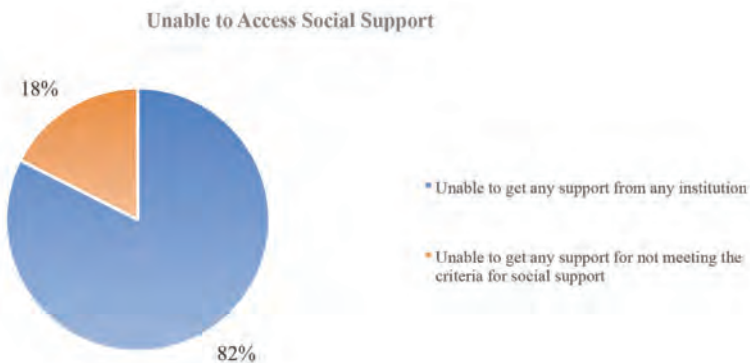
Social support programs in satellite cities are conducted by Social Assistance and Solidarity Foundations (SASF)/Sosyal Yardımlaşma ve Dayanışma Vakıfları (SYDV), which are affiliated with the governorates. Provincial Directorates affiliated with MFSP also refers refugees to SASFs for social support. Many of the LGBTI refugees who applied to SASFs stated that they could not benefit from social support because they did not comply with the criteria. They emphasized

that LGBTI refugees, who do not usually meet criteria determined by SASFs such as “being a member of a family, a person with disability, a person with serious health conditions, or a single woman with children”, are not considered as vulnerable groups. A small number of LGBTI refugees who received social support from SASFs stated that this support is very small and just for once. Although in Tepebaşı SASF, giving social support in Eskişehir, has the refugee unit as a positive example, LGBTI refugees still face problems accessing the supports.

Of 55 LGBTI refugees who stated that they could not reach social support, 82 percent of them stated that they are unable to get any support from any state institution without being provided with any reason; and 18 percent of them stated that they are unable to get any support for not meeting the criteria for social support.

Unable to Access Social Support						
SOGIIC						
	Denizli	Yalova	Eskişehir	Kayseri	Other*	Total
Not Stated	3	1	2		1	7
Bisexual Man			1			1
Bisexual Woman					1	1
Gay	5	4	14	1	6	30
Lesbian	5		2		1	8
Trans Man			2	1		3
Trans Woman	2		3			5
Total	15	5	24	2	9	55

*Other: Ordu, Burdur, Isparta, Adana, Uşak, Kırıkkale



Considering all these together, it is apparent that the discrimination LGBTIs are exposed to in accessing social services continue to be increasingly serious, since authorities do not take concrete steps regarding the specific needs of LGBTI refugees and solutions of their problems.

"I had to go to SASF because our situation was too bad. When I went there, they told me that I could benefit from support only by being 'either a Syrian or a pregnant person, a person with disabilities or in a wretched house'."

The experience of a refugee who is trans man

"We provided our names and enrolled to the Social Assistance and Solidarity Foundation. They said they would come to see our house. 1-2 months after we asked why they never came. Are you 'Muslims?' they asked. 'In two weeks, we're going to call', they said. But they have not called yet although it has been a month."

The experience of a refugee who is gay

"We were told that we could apply Social Assistance and Solidarity Foundation for financial support. I was mistreated so badly there. My brother asked the officer in English; 'Do not say homosexual out loud. Why do you say it so loudly?' The officer in SASF told that 'UNHCR is lying, they won't help you'. Then they said we needed to complete the form but financial support would not be provided for us."

The experience of a refugee who is gay

"Prostate drugs are very expensive. I presented my reports to Social Assistance and Solidarity Foundation. 'The insurance does not cover those' they said. Then an officer asked, 'Why did you come? Leave the country and go to your home country!'"

The experience of a refugee who is gay

Social Life

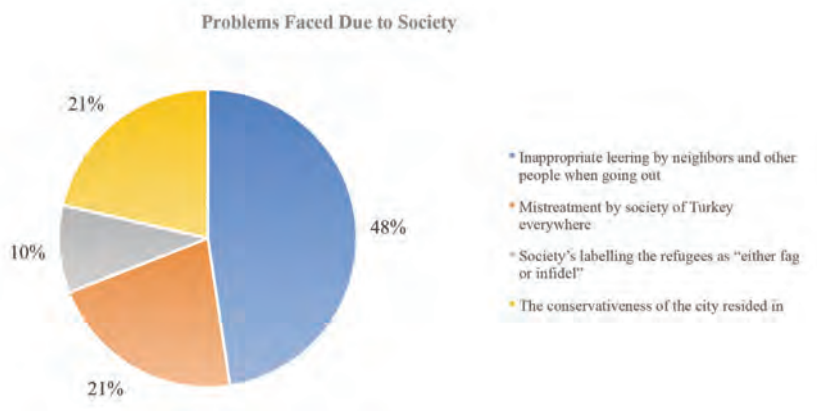
The social life of LGBTI refugees who live in the satellite cities is so limited. In the interviews made they said there are many reasons behind this limitation. LGBTI refugees stated that they spend the half of their day in working for 10-12 hours per day under heavy conditions whereas they spend the half of their day in resting and sleeping. They stated that even they did not work, they faced many problems in social life.

Of 40 refugees who mentioned the problems they face due to the local people, 48 percent of them stated that they face inappropriate leering by neighbors and

other people when going out; 21 percent of them stated that the city they reside in is conservative; 21 percent of them stated that they face general mistreatment by the general society of Turkey; 10 percent of them stated that they are labeled as “fag” or “infidel” by society.

Problems Faced Due to Society							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	Total
Androgyny		1					1
Not Stated			1				1
Bisexual Man						1	1
Gay	4	12	3	1	2	1	23
Lesbian	6				1	1	8
Trans Man			1				1
Trans Woman	1	1	2			1	5
Total	11	14	7	1	3	4	40

*Other: Burdur, Kırıkkale



“The number has increased so much, the people of Turkey talk on this: ‘Why only fags and infidels come to Turkey?’. The police officers say, ‘Either infidels or LG-BTIs come. You must do it in your home country. Why are you doing this in our country? We will not take after you. You should take care of your own,’ they say.”

The experience of a refugee who is gay

In satellite cities where LGBTI refugees reside, it was observed that there were concerns about security. Of 80 refugees who expressed their security concerns, 54 percent of them said that they were forced to conceal the SOGI; 26 percent of them stated that they were not going out for feeling insecure; 9 percent of them stated that they were not feeling comfortable even at home and curtains closed constantly; 7 percent of them stated that they were unable to come out to other asylum seekers by telling about their motive to come; 4 percent of them stated that they were forced to change their clothing style due to the pressure in refugee community. It is identified that apart from their days for sign-in checks, they didn't want to get out of the house due to their security concerns.

Security Concerns							
SOGIIC	City						Total
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	
Not Stated			2		1	1	4
Gay	23	10	20	1	1	1	56
Lesbian	9	2	1			1	13
Trans Man	3						3
Trans Woman	3	1					4
Total	38	13	23	1	2	3	80

*Other: Balıkesir



"We're not comfortable even at home. We do not open the curtains for hindering the people from observing the two men in the house. We wait the neighbors to leave the stairs, then we go down later."

The experience of a refugee who is gay

"The men disturbed me for my hair and my clothes. I was attacked by a homophobic man. He understood that we are a lesbian couple. He told me that, 'You are sleeping with girls because you cannot find a man.' He broke my finger. Some people told me to call ASAM but I got afraid. Now in my work place I am disturbed for my clothing. I had fewer problems since I grew my hair."

Experience of a refugee who is lesbian

"Iraqis here interfere my hair, my style. That's why I changed my style, my clothes, everything."

The experience of a refugee who is gay

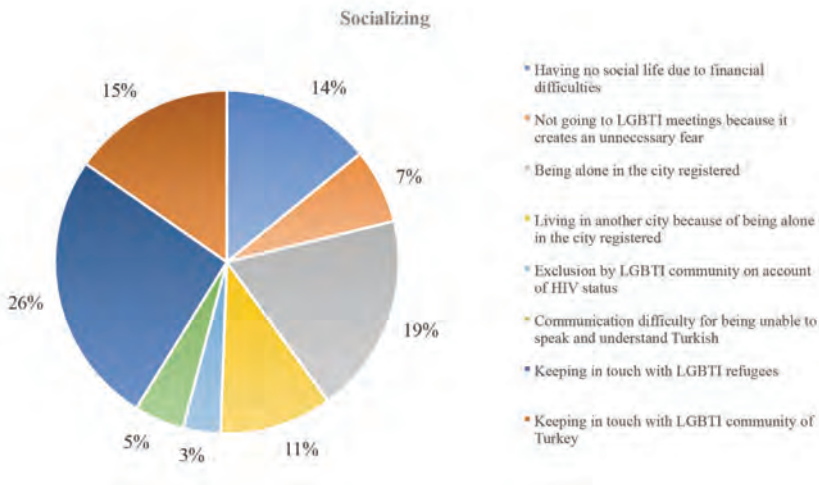
A total of 65 LGBTI refugees, who were reached, explained how they are socializing. Of LGBTI refugees who stated on this issue, 26 percent of them stated that they communicate with LGBTI refugees; 15 percent of them stated that they have communications with local LGBTIs of Turkey. LGBTI refugees, who have relations with the LGBTI refugees, can speak English or Turkish. By contrast, 5 percent of them stated that they have a communication problem due to the fact that they do not know Turkish.

Of LGBTI refugees made a statement, 19 percent of them stated that they are alone in the satellite cities; 11 percent of them stated that they move to another city because of being alone in the city registered. Financial situation is one of the reasons that affect the social life, 14 percent of the refugees stated that due to financial difficulties, and there is no social life for them. In this case this cause most of the LGBTI refugees spend their time without seeing anyone. One of the refugees during the interview stated that, he was living with his dog for a year with seeing anyone else.

LGBTI refugees avoid meeting with others due to their fear of being outed regarding their identities and infectious disease. 7 percent of them stated that they are not going to LGBTI meetings because it creates an unnecessary fear; 3 percent of them stated that they faced exclusion by LGBTI community on account of HIV status.

Socializing							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other	Total
Not Stated	1	1	2			2	6
Bisexual Woman						1	1
Gay	17	4	12	2	1	2	38
Lesbian	8	1	1			1	11
Trans Man	1				1		2
Trans Woman	3		1			3	7
Total	30	6	16	2	2	9	65

*Other: Ordu, Burdur, Balıkesir, İzmir, Antalya, Uşak, Kırıkkale



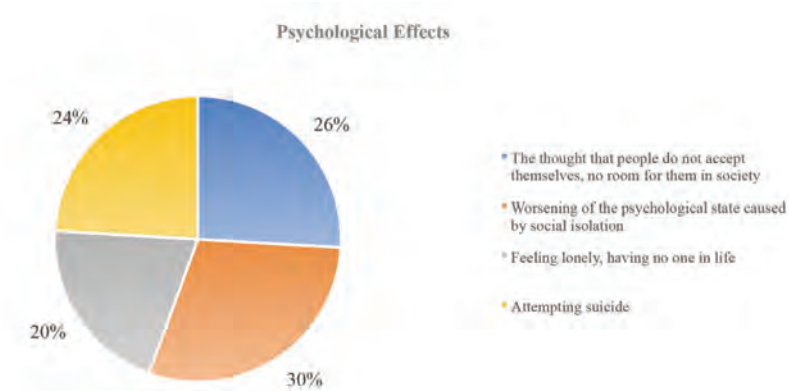
It can be said that social life of LGBTI refugees continue within their committees in Denizli and Eskişehir, where there is a high number of LGBTI population and where their social life is visible. However, there is no other social environment for those who do not want to be included and/or are not included in this community.

Psychological state of LGBTI refugees, who think that the people do not accept them due to social isolation, is going worse. This can lead to incidents such as suicide attempts.

Of 48 refugees, who mentioned the effects of social isolation on their psychology, 30 percent of them stated that they faced worsening of their psychological state caused by social isolation; 26 percent of them stated that they have the thought that people do not accept themselves and there is no room for them in society; 24 percent of them stated that they attempted suicide; 20 percent of them stated that they are feeling lonely.

Psychological Effects						
SOGIIC	City					Total
	Denizli	Yalova	Eskişehir	Kayseri	Other*	
Not Stated	4		2		3	9
Bisexual Woman					1	1
Gay	11	1	14	1	2	29
Lesbian	4					4
Trans Man	1					1
Trans Woman	3	1				4
Total	23	2	16	1	6	48

* Other: Ankara, Uşak, Kırıkkale



By facing homophobia, transphobia and xenophobia in almost every moment of their lives, for LGBTI refugees the meaning of what the life is just to breathe. This situation makes it impossible to have a sustainable social life. In the short term, safe zones where LGBTI refugees can feel comfortable and can socialize can be created. In the long run, there should be efforts for raising awareness of the community, there should be a combat for integrating LGBTI refugees into the society.

Hate-Motivated Sexual, Physical, Psychological Violence and Discrimination (the Perpetrators: state actors, local people and refugee community).

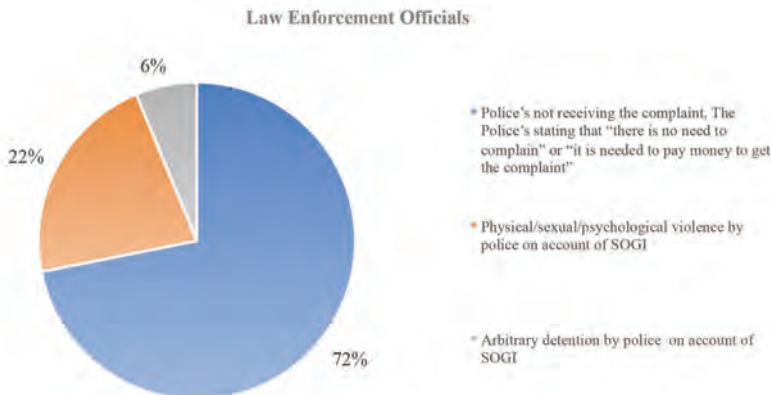
The homophobia and transphobia were one of the important issues during the interviews took place in each city. Most LGBTI refugee stated that they choose not to come out since this situation is more intense in more conservative cities. The trans women who were interviewed stated that they conceal their gender identities in order to work or in order not to be exposed to transphobia; and this situation quite affects them psychologically.

They stated that even in cities they can live relatively more openly, they were exposed to homophobic and transphobic discourse fed by xenophobia.

They also stated that in case of homophobic or transphobic violence, police and authorities do not take those cases seriously by slowing down the process and the necessary procedure is not applied. This situation is creating unsafe living space for refugees and leads to psychological restlessness.

Of 30 refugees who stated that they faced problems with law enforcement officials, 72 percent, the majority of them, stated that the police did not receive the complaint or thinking that there was no need to complain or money was needed in order to issue a complaint; 22 percent of them stated that they faced violence by police; and 6 percent of them stated that they faced arbitrary detention by police.

Law Enforcement Officials	
SOGIIC	
Not Stated	1
Bisexual Man	1
Gay	19
Lesbian	3
Trans Woman	6
Total	30

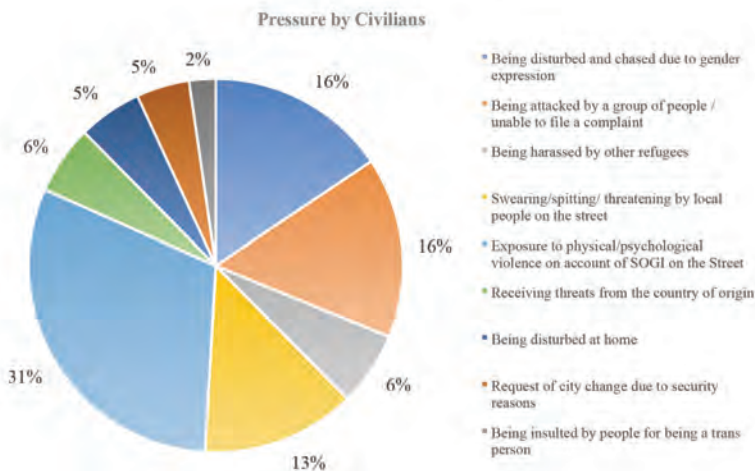


LGBTI refugees deprive the life they want to live due to homophobic and transphobic assault and sexual abuse suffered and they are being forced to behave in contrast to their identity, which allows them to hold on to life.

Of 96 LGBTI refugees stated that they faced pressure by local people in Turkey; 31 percent of them stated that they were exposed to physical/psychological violence on account of SOGI in the street; 16 percent of them stated that they were attacked by a group of people but were unable to file a complaint; 16 percent of them stated that they are disturbed and chased due to gender expression; 13 percent of them stated that they faced swearing/spitting/ threatening by local people on the streets; 6 percent of them stated that they were harassed by other refugees; 6 percent of them stated that they still got threats from the country of origin; 5 percent of them stated that they are uncomfortable at home; 5 percent of them stated that they are requesting for changing the residence place due to security reasons; 2 percent of them stated that they were insulted by people for being a trans person.

Pressure by Civilians							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	Total
Androgyny		1					1
Not Stated	2		2			1	5
Bisexual Man	1					1	2
Gay	19	10	21	2	1	5	58
Lesbian	10	1	1				12
Trans Man	2		1				3
Trans Woman	10	1	3			1	15
Total	44	13	28	2	1	8	96

*Other: Ankara, Iğdır, Kırıkkale, Bilecik



"4-5 people beat me so bad. I was beaten by the same persons, 3 months before, at an evening. I have forensic report. Police took me to the hospital. But if I file a complaint, the trial will take 2 years. I went to the police; I said I was going to file a complaint. I said I was Iranian. 'You cannot complain,' police said".

Experience of a refugee who did not state SOGIIC

"One evening, the windows of our house were broken by a stone thrown, my girlfriend got very scared. We were living on ground floor. My leg was injured by glass. We called police and they arrived. The perpetrators were gone. In fact, it was the neighbor's child. The police said you cannot file a complaint against a local therefore we withdrew the complaint. Then the neighbor said for us, 'Those are filthy people'. The people in the street had a signature campaign for forcing us to leave."

Experience of a refugee who is lesbian

"We could not get the deposit money back from house owner. ASAM told us to apply police immediately. Police said 'There's nothing we can do.' The police interpreter told us to pay 150 TL for filing a complaint; besides, said that complaining would be a problem in our exit".

The experience of a refugee who is gay

"I came here, but I'm in a bad situation here. We are standing the gaff, however the situation unbearably goes worse. They are spitting. They told us 'Hey you fags'. Due to our pants and earrings, especially older people insult us. 'Once they came, and the state increased the leases,' they say. I took my partner to hospital. The old lady stared at me in the hospital and told me to leave by beating me with the cane. They hate us. They swear when they understand that we are Iranians."

The experience of a refugee who is gay

"They beat our children here on the street, we filed a complaint. The police said, 'If you don't like it, then leave'. Against state employees, what can I do?"

The experience of a refugee who is lesbian

UNHCR and Resettlement

All of the LGBTI refugees stated that they suffer due to the long waiting periods for resettlement and that each day they have to stay in Turkey becomes more challenging for them unless they have the access to services equally.

The fact that the submissions were dramatically decreased by Canada and the USA with the beginning of 2017 in particular, brings about an uncertain future

for the interviewees, and it has been observed that this ambiguity has psychologically corrosive effects.

One of the most mentioned issues stated by the refugees regarding resettlement process is that they thought that their resettlement process would be hindered if they got psychological support. LGBTI refugees fear and perceive that even if they are in need of serious psychological/psychiatric support, the knowledge of this support will be added into their cases in UNHCR and that the countries will not accept them, and therefore they refuse to get psychological support.

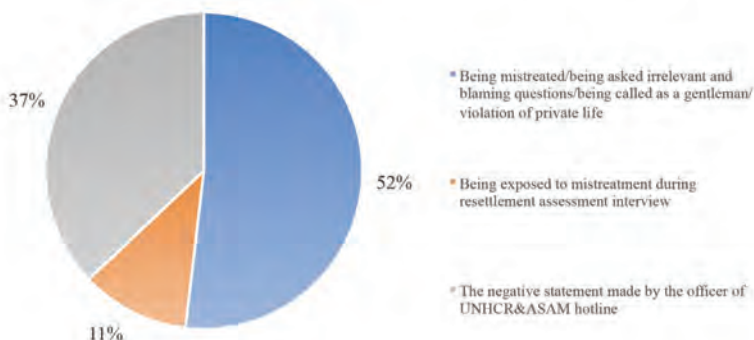
“I got depressed, I don’t want to see anyone but I heard that if I get psychological support, my case is affected. Or, at least it will be getting harder to be accepted by the country for resettlement.”

Experience of a refugee who is trans woman

At the interviews conducted, 24 people stated that they were mistreated by UNHCR Officer. Of those who were interviewed, 52 percent of them stated that they were mistreated and were asked irrelevant and blaming questions; trans women interviewees were called as “gentlemen” and their private life was violated by the officer who performed the Refugee Status Determination interview; 37 percent of them stated that they were exposed to negative statement made by the officer of UNHCR & ASAM Counselling Lines; 11 percent of them stated that they were exposed to mistreatment, during resettlement assessment interview made face to face or via telephone (like shouting, telling with a negative attitude that “then you do not want to be resettled”).

People Stating that They Experienced Mistreatment by UNHCR Staff	
SOGIIC	
Not Stated	4
Bisexual Man	2
Gay	6
Lesbian	8
Trans Man	3
Trans Woman	1
Total	24

People Stating that They Experienced Mistreatment by UNHCR Staff



“Musahabe asli (UNHCR RSD-refugee status determination- interview) started at 8 o’clock and finished at 16 o’clock, it lasted long. I was asked many questions about my sexuality. They did not tell me that you have a right not to answer the questions you were asked. ‘How did you understand you are a lesbian? When and where did you have sex with your husband?’, I was asked.”

Experience of a refugee who is lesbian

“The male officer in the RSD (UNHCR refugee status determination interview) treated me badly. He was a 30-35 year old man. This person was acting like investigating me. I got stressed for that reason. He was asking very meaningless, irrelevant questions.”

Experience of a refugee who is bisexual man

It is observed that some LGBTI refugees suffer extreme stress and anxiety prior to their RSD interviews and some others stated that they suffered serious psychological distress days before the RSD interviews because they did not know what questions would be asked. Some of them stated that due to the fact that they are not conforming the LGBTI stereotypes or they did not have a certain expression regarding SOGIIC, they were afraid of being rejected in the end of RSD interview.

UNHCR guidelines emphasizes that “Behavior and activities may relate to a person’s orientation or identity in complex ways” and “the distinction between forms of expression that relate to a ‘core area’ of sexual orientation and those that do not, is therefore irrelevant for the purposes of the assessment of the existence of a well-founded fear of persecution”²¹. Given the intricate relationship of a person’s gender expression with sexual orientation and gender identity, the

²¹ UNHCR Guidelines on International Protection No: 9, <http://www.unhcr.org/50ae466f9.pdf> (Access on 9 July 2018)

importance of resorting to these principles during RSD interview and assessment phase become apparent more clearly.

“I am not a gay person; in Iran I thought that I am gay but I do not want to have sex with men. I think I like lots of makeup and women’s clothing but I do not want to have breast or anything, I’m not a trans person, either. My friend told me ‘Do not say that in UN or it may be a problem for you regarding your going to the third country’. I am thinking like a woman. My feelings are like a woman. I’m very sensitive like a woman. But my body is like a man. I am queer, I am not a trans person. For example, you are a woman, he is a man. Then, who am I? I want to know who I am. Am I normal? When I go to UN and show up, I hope they accept me.”

Experience of a refugee who did not state SOGIIC

25 LGBTI refugees, who were reached, stated that they had difficulties in reaching UNHCR; they did not get an answer even if they tried to reach via phone and e-mail, and they could not get any information about protection or about a problem with their cases.

People Stating that They Experienced Problems in Reaching UNHCR	
SOGIIC	
Not Stated	1
Gay	21
Trans Woman	2
Bisexual Man	1
Lesbian	1
Total	25

Of the people we reached, as a result of the refugee status determination interview made by UNHCR, 138 of them were recognized as refugees.

Persons Recognized as Refugees	
SOGIIC	
Not Stated	15
Bisexual	1
Bisexual Man	1
Gay	81
Lesbian	13
Trans Man	7
Trans Woman	20
Total	138

64 of them stated that their resettlement interviews were made face-to-face or via phone interviews. The LGBTI refugees, who were not called for the resettlement interview although being granted the status, stated that they were worried to be found unsuitable for resettlement or to have a problem with their cases.

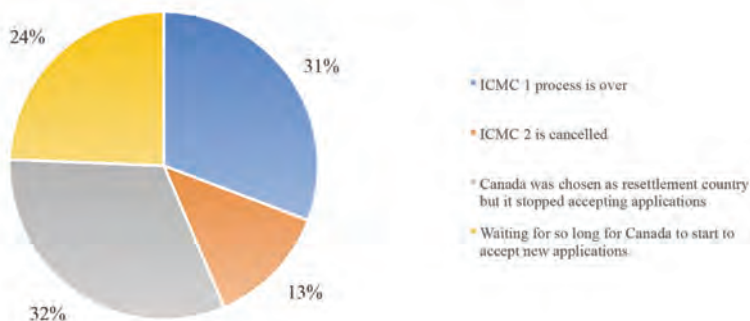
Resettlement Assessment Interviews Were Conducted							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	Total
Not Stated	2	2	2		1	1	8
Bisexual	1						1
Gay	16	6	9	3		2	36
Lesbian	3	1	2		1	1	8
Trans Man	1		1		1		3
Trans Woman	4		2			2	8
Total	27	8	16	3	3	6	64

*Other: Ankara, Antalya, İzmir, Kırıkkale, Ordu

A total of 138 people who were reached, 60 of them stated that their resettlement process is left half-finished due to the developments in the resettlement process of Canada and the USA. Of these 60 people, 32 percent of them stated that sometime after their resettlement countries were assigned as Canada, Canada stopped getting new applications from LGBTI refugees; 31 percent of them stated that their first interview with ICMC took place; 24 percent of them stated that they were waiting for so long for Canada to allow the applications again; 13 percent of them stated that they got an appointment date for the second interview of ICMC, but those were canceled due to the developments after the USA's presidential elections.

People Stating that Their Resettlement Process is Left Half-Finished	
SOGIIC	
Not Stated	6
Bisexual Man	1
Lesbian	3
Gay	36
Trans Man	7
Trans Woman	7
Total	60

People Stating that Their Resettlement Process is Left Half-Finished



Especially the ones with serious health problems stated that they prefer to wait until Canada allows the submission of LGBTIs again for resettlement, knowing that Canada's refugee-oriented health care services are more developed.

"They called me for the resettlement interview. 'All countries are close to the new applications,' they stated. 'If the USA opens it, would you mind to go there?' they asked. I said no, I have a disease. Canada is publishing photos: they say 'Love is love,' but nothing can be done."

Experience of a refugee who is lesbian

Some of them also stated that they accepted their applications to be submitted by UNHCR to the USA but this time the process was blocked due to the changing policy of the USA regarding the resettlement. The LGBTI refugees who have to wait for a long time stated that they could neither obtain the rights in Turkey nor were able to go to another country and they stated that they thought as "even if the state accepts them as being LGBTI, people of Turkey will never accept them". It is therefore observed that almost all of LGBTI refugees who were reached believe that there is no other way for them than going to a third country.

"When I arrived, they said they would leave in two years and now the situation is like this and it stresses us out. I have goals for my own life but now I am so sick and exhausted. These things made us tired."

Experience of a refugee who is lesbian

"I said I wanted Canada from the beginning. They recommended USA. They did it for twice. They interviewed me via a phone call. At that time, I told that I want the USA then, but this time the USA stopped the applications. Nothing happened

and there is no result. I am tired of the struggle for my survival; I began to think of committing suicide.”

The experience of a refugee who is gay

“Ask those countries: Isn't there any room for only 300 people? Isn't there any room in such big countries?”

The experience of a refugee who is gay

80 LGBTI refugees who reached Kaos GL via e-mail and phone or through interviews highlighted that their appointment date for RSD interviews was so late and they emphasized that it was very important for them to get as much close date as possible. In this regard, case-based referrals have been made to the UNHCR Protection Unit regarding the late RSD interview dates as well as regarding different protection-related issues and needs.

People Stating that the Date of RSD Appointment is Late							
SOGIIC	City						
	Denizli	Yalova	Eskişehir	İstanbul	Kayseri	Other*	Total
Not Stated	2	3	2				7
Bisexual Man						1	1
Gay	12	6	20	2	1	9	50
Lesbian	6	1	5			2	14
Trans Man	1		2				3
Trans Woman	1	1	3				5
Total	22	11	32	2	1	12	80

*Other: Balıkesir, Bolu, Burdur, Iğdır, Isparta, Sakarya, Zonguldak

The Protection Unit has referred the mentioned cases to the other related units of UNHCR within the framework of the vulnerability assessment criteria. As a result of these referrals, in the case of the person's case, where necessary, an accelerated procedure can be applied and a closer date can be appointed for RSD interview and the person was referred to the financial and psychological support mechanisms.

B. Temporary Protection

A total of 28 LGBTI refugees under temporary protection have been reached within the scope of the project. Compared with the ones under international protection, it is noteworthy that the number of LGBTI refugees reached among registered 3,412,368²² Syrian refugees is so low.

Of 28 LGBTI refugees, with 19 of them face-to-face interviews were made in Istanbul, whereas 9 of them reached Kaos GL via e-mail and telephone. Before the face-to-face interviews, HRDF İstanbul office and SPoD shared the information regarding those interviews among the LGBTI refugees that they were in contact with. However, as the reason behind the fact that the number of the refugees who were reached is low, it can be said that Kaos GL has not yet had sufficient visibility in Syrian LGBTI networks, although there is a high number of NGOs already providing them with support in Istanbul.

Another important issue related to the LGBTI refugees who were reached is that there was no person in the interviews who identified themselves as lesbian, bisexual woman, trans man, bisexual man; and the number of trans women who were reached was limited to one person. Regarding this situation, in the interviews, the refugees stated that lesbians, bisexual, and trans women are invisible between Syrian LGBTI networks. At this point, Kaos GL's Refugee Program aims to reach Syrian refugee women's organizations operating in Turkey for discussing this invisibility of lesbians, bisexual and trans women. The visibility of Syrian lesbians, bisexual and trans women will make them to be able to benefit from LGBTI solidarity networks effectively.

Findings Gathered During Interviews

Regarding the Syrian LGBTIs, beside the SOGIIC based violence as well as the armed conflicts in Syria and the indiscriminate violence of war in Syria play an important role in coming to Turkey. The refugees stated that there is a dramatic increase in the extent of violence by radical groups particularly on account of SOGIIC directed against LGBTIs in the war conditions. 12 of the Syrian refugees stated that they fled due to war conditions in their countries and applied asylum in Turkey, 5 of them stated that they fled because of the threat, violence and oppression they were exposed to in Syria. The remaining 11 people did not provide any statement on the reasons for fleeing their country. Violence on account of

22 Syria Regional Refugee Response, Inter-Agency Information Sharing Portal. (Accessed on 9 June 2018) <http://data.unhcr.org/syrianrefugees/country.php?id=224>

SOGIIC is inflicted by different groups in different forms, for instance; threats, pressure and oppression by family and non-state actors; torture, threat and rape by state actors.

Motive to Leave the Country of Origin				
SOGIIC				
	Not Stated	Gay	Total	Related Conditions
Because of war	4	8	12	
Due to Threat/ Violence/Rape and Pressure	1	4	5	* Conservative family and relatives, threats/ violence by family members * Threats by non-state actors * Being Exposed to Torture/ threat/rape by state actors

Temporary Protection Regulation prevents the Syrians, who are under temporary protection, from applying for international protection. However, like LGBTI refugees, the cases of the Syrians, who belong to the vulnerable group, can be submitted to UNHCR through the GDMM, UNHCR's partner organizations and hotline, their files can be opened at UNHCR. It has been observed that LGBTI refugees reached this information when this information is shared by local NGOs or the friend networks. While 8 of the Syrians who were reached stated that they became aware of the asylum system through local NGOs, 4 of them stated that they reached this information through friend networks.

"First when I came I did not know anything, even I do not know any institutions. 5 months later I friended a person who was working in a human right based organization. This friend of mine is already a LGBTI person. And told me that there was an organization working for human rights called ASAM, 'If you go there, a special case could be opened', they said."

Did You Know Asylum Procedures Before?	
Through local NGOs	8
Through friends	4
Total	12

Temporary Protection Regulation which was prepared in accordance with Article 91 of LFIP and entered into force in 2014 take the Syrians and refugees and stateless persons coming from Syria crossing the borders of Turkey under temporary protection. General Directorate of Migration Management is responsible for the registrations of temporary protection.

Six of the Syrian refugees living in Istanbul stated that they had problems during registration of DGMM. The interviewees stated that they could not be registered because PDMM was busy, or, they could not be registered although they waited for a long time for registration and even applied as accompanied by representatives of various NGOs and that they had to live without an ID card for a long time. Some interviewees have stated that the address of the shelter for transgender persons in Istanbul they live in is not accepted during registration.

Problems Regarding Registration				
SOGIIC				
	Not Stated	Gay	Total	Related Conditions
	3	3	6	* Living without ID Card for a long time * Unable to be registered by PDMM due to the lack of house address, since the address of trans shelter is not accepted * Problems in registration system/no new registration is allowed for so long due to caseload

Being unable to be registered by PDMM for the mentioned reasons brings serious health risks especially for interviewees with health problems, who require regular medication and treatment. 8 interviewees stated that they could not access the treatment due to lack of ID card, and some interviewees stated that they could not be treated even though they need dentistry and ophthalmology treatments.

The rights and services that can be enjoyed by Syrians during their stay in Turkey are provided in the article 26 of Temporary Protection Regulation, as: "Provision of services by the relevant ministries and public institutions and organizations under this Regulation shall be carried out in coordination with DGMM". In Article 27 of the same Regulation, under the title of "Health Services", it is stated on the access to right to health by Syrians that: The cost of health services provided to Syrians, not exceeding the cost in the Health Budget Law [SUT] determined by the Presidency of Social Security Institution for beneficiaries of general health insurance, under the control of the Ministry of Health, will be paid by DGMM.

"I went to the police station they told me that I should present the proof of the illness, reports and medical test results. I already have a disease. I took them with me and showed them. For a second visit, my friend's daughter who is a lawyer came with me and told me that not to be afraid, it would be handled. After I went to the police station with a lawyer, they said that I would be provided an ID card, but I needed to show the lease contract. I do not have a contract because I do not

live in a proper apartment. I'm staying in the shelter. I went there with the Director of Shelter and they did not accept again. I'm showing the results of the tests and again they do not provide any ID card."

As well as psychological destruction caused by the war in Syria, the harsh living conditions in Turkey aggravated by SOGIIC based discrimination and violence, increase the need for psychological support significantly. 6 interviewees stated that they need psychological support accessible in their own language.

"I am at limbo where no one is taking care of me. I am at that point to kill myself. I am really depressed. I really need the psychologist."

Right to Health				
SOGIIC				
	Not Stated	Gay	Total	Related Conditions
People stating that they cannot access health care	1	7	8	* No access to health care due to the lack of ID Card * The fact that additional payment is required for dentistry and ophthalmology treatments (these problems are linked to the scope of the General Health Insurance. Citizens also face the same problems)
People stating that they are in need of psychological support		6	6	

5 interviewees stated that they received support from ASAM Istanbul office especially for accessing to health services. This support includes treatment in the private hospitals referred by ASAM, the interpreter support on the hospital and benefiting from the financial support program.

"We have an interpreter support in ASAM, so we are trying to get the medical appointments from ASAM. I went to ASAM because a friend of mine recommended ASAM. ASAM is sometimes referring us to private hospitals. There is more interest, medications are provided sooner."

7 interviewees stated that they received support from HRDF Istanbul Office. The interviewees stated that they received psychological support from the HRDF and that the HRDF is concerned with issues related to the cases in general.

"That organization helped me, it is in Esenler, HRDF. They treated me well; they helped me to obtain ID card. They provided a lawyer, we went to PDMM with a lawyer."

8 interviewees emphasized that they had problems in accessing the right to housing. The fact that the house owner did not give the deposit money back when leaving the house and did intervene in private life and that unsafe and conservative atmosphere of the neighborhood are the most prominent problems regarding housing. In addition, some interviewees stated that they had to change houses due to the problems faced by neighbors and roommates on account of SOGI. Some refugees stated that the conditions of the hostels they are staying in due to financial difficulties are very bad but they cannot leave due to the reason mentioned.

13 of the refugees who stated that they had problems in housing due to financial difficulties stated that they stayed in the shelter houses or their workplaces for this reason.

“Our shelter house is located already on a bad street. The locals always follow me; they want to know my number; they are badmouthing. These are our problems.”

“When I rented several houses, they did not give the deposit money back many times. He has a key (house owner) he sometimes entered the home before I return back.”

Right to Housing				
SOGIIC				
	Not Stated	Gay	Total	Related Conditions
Problems Faced in Housing	2	6	8	<ul style="list-style-type: none"> * Having bad relation with the house owner, house owner's intervention in private life * House owner did not give the deposit money back when leaving the house * Unsafe and conservative atmosphere of the place lived in * Mistreatment by neighbors due to SOGI * Moving frequently due to discrimination * Bad conditions of the guesthouse
Solutions to Problems	5	8	13	<ul style="list-style-type: none"> * Staying in shelter due to financial challenges * Living at workplace due to financial challenges

In relation to the right to work, a total of 8 refugees stated that they were having problems. 4 interviewees stated that they could not find a job due to the fact that they do not know Turkish and because of the religion and ethnic origins and they could not find a job in accordance with their professional skills. 4 refugees stated that because of being Armenian / Syrian and because of their religions, the employer has discriminatory attitude and discourse; their colleagues were

homophobic and they were not paid salaries despite they worked. In particular, the interviewees, who have higher education levels with certain professional skills, suffer serious pressure due to the fact that they were not able to get the permission to leave the country although they were accepted for resettlement, and that in Turkey they could not find work in line with their profession.

“Turkey does not give an exit permit because of having a good profession. But it was bad for me. I am not allowed to go to another country; they do not give me a job, either. I am an engineer and I cannot find a job anywhere.”

Right to Work				
SOGIIC				
	Not Stated	Gay	Total	Related Conditions
Problems Faced in Finding a Job		4	4	<ul style="list-style-type: none"> * Unable to find a job due to language barrier * Unable to find a job due to the ethnic origins and beliefs * Unable to find a job in accordance with the professional skills
Problems Faced During Employment	1	3	4	<ul style="list-style-type: none"> * Employer's xenophobic attitude * The staff's homophobic attitude * Unable to get a payment for the work done

Regarding social life, 13 interviewees stated that they had problems in social life due to being LGBTI and of Syrian origins and stated that they often had to conceal their IDs. Some interviewees stated that they were discriminated on account of their religious beliefs and ethnic origins as well as of being Syrian LGBTI person and they had to change their names. In order not to suffer any verbal, physical and sexual assault on account of SOGIIC, the LGBTI refugees develop some mechanisms including suppression and change of gender expression and refraining from having contact with LGBTI groups because the fear of disclosure. Living in the same city with the family members fled from the war, aggravated the fear of being exposed of the interviewees and the possibility of attack from non-state actors prevents them from feeling safe.

“I do not understand Turkish but my friends can understand Turkish, they say bad words towards us on the street. Not because we are Syrians, but because of our gender identities. And I cannot do anything; it's my style and my freedom. Although I wear some ordinary clothes for not being detected, they still do the same. When we are shopping at the grocery store, they told the shopkeeper ‘why you are selling them anything’”.

12 of the interviewees stated that they faced violence, threats and ill treatment by non-state actors in Turkey. Such violence, threats and ill treatment can be inflicted by family members who live in the same city, by other refugees from the same country, and by unidentified persons. Some refugees stated that they are threatened or abducted by the persons living in Turkey who belong to the radical groups of Syria.

“The people outside are very bad. Sometimes I cannot go out because of these people. They abducted me once. Once they attacked with a knife. I filed a complaint to the police, one of them was caught but two of them were able to escape. They could not catch the one with knife. Only one of them was caught. This person will be in jail for 15 years. They are from ISIS.”

Social Life					
SOGIIC					
	Not Stated	Gay	Trans Woman	Total	Related Conditions
Security Concerns	5	7	1	13	<ul style="list-style-type: none"> * Changing the name due to fear of being discriminated by the members of same religious community * Avoid LGBTI groups for not being disclosed * Fear of being exposed to violence on account of gender expression and presentation * Concealing SOGI due to the fear of being assaulted and verbal harassment
Violence/Threat/Mistreatment	4	7	1	12	<ul style="list-style-type: none"> * Being dismissed /threatened by family members * Assault/abduction/detention by the locals from the same place of residence * Chased by unidentified people * Threats from the country of origin * Being exposed to verbal abuse/humiliation on account of gender expression and presentation

12 of the interviewees who have a file at UNHCR stated that they experienced problems related to the application and resettlement process. Applicants stated that when they applied UNHCR through UNHCR’s implementing partners and hotline to open a casefile on their behalf, the submission of their requests to UNHCR are delayed and after their application was considered, there was no progress in their case. Some interviewees indicated that misinformation was provided regarding the resettlement process. This misleading can be related to

the options of the countries during the RST, after informing the persons about the country and after they select a country, it can be learned that this country is not accepted any casefiles except from the ones related to family reunification.

It is observed that LGBTI refugees think that following the violence suffered in Turkey, the resettlement of them is accelerated.

“Many of my friends went after the LGBTIs were killed. Some went 7 months after the registration. The Syrians especially, their cases are assessed more quickly in an accelerated way. To Belgium, Germany, Canada, Netherlands.”

IV. RECOMMENDATIONS

Gender based violence on women and LGBTIs in Turkey have increased. Gender based discrimination and violence exist all over Turkey, varying significantly from city to city. This becomes even harder for LGBTI refugees. Due to the fact that authorities do not take necessary measures to protect LGBTI refugees and that they are unwilling to protect them, the discrimination and violence the refugees are exposed to continue to be increasingly serious.

All of the LGBTI refugees, who fled from pressure and fear they suffered and came to Turkey in order to form a safe space to be free to enjoy themselves, feel even more pessimistic because of all the sufferings they have to bear in Turkey.

There should be an effective combat against the discrimination and violence LGBTI refugees are exposed to.

The Law on Human Rights and Equality Institution of Turkey should be regulated in a way to include the protection of LGBTIs regarding SOGIIIC and to implement the recommendations provided by the civil society for the impartiality. Statistical studies should be conducted to detect the discrimination.

There should be active combat against homophobic, transphobic and racist hate speech of politicians, public authorities and opinion leaders.

The regulation on hate crimes should be expanded to include fundamental rights such as right to life, physical integrity, education and housing as well as to include hate speech. SOGIIIC should be included in the hate crimes regulation. Penal measures should be taken against hate crimes towards LGBTIs; there should be a regulation in the law in a way that “unjust provocation” cannot be applied while imposing a penalty for committing a hate crime.

All public institutions especially Directorate General of Migration Management should develop a certain awareness and policies regarding the various problems of LGBTI refugees.

Measures should be taken to prevent discriminatory and/or biased attitudes of the law enforcement officials and judicial bodies during the process of investigation and prosecution.

The obstacles in front of obtaining a work permit should be removed; and social and institutional training programs should be implemented and monitored as the positive responsibility of the state in order to eliminate the violations of the rights of LGBTI refugees regarding the fields of employment, health and public and private institutions as well as access to services.

Necessary regulations should be made in order for LGBTI refugees can effectively benefit from social support and social services; all measures should be taken to prevent discrimination in that regard. On which criteria the social support be provided should be clarified, inconsistent and discriminatory practices against LGBTI refugees should be prevented.

The problems faced with General Health Insurance system should be minimized, and it should be ensured that LGBTI refugees can access the treatment.

Awareness and knowledge regarding SOGIIC is a goal that should be prioritized for psychologists and psychiatrists working as linked to public institutions. In the long run, the capacity of public institutions should be increased in terms of psychological support for refugees.

LGBTI refugees must be informed about the safe places in the satellite cities; official consultancy should be provided regarding housing, where and how to stay. LGBTI refugees who cannot meet their housing expenses should be provided with safe shelters.

International developments should be followed regarding the DGMM assessments of asylum applications based on SOGIIC; necessary legal regulations should be made on how those applications should be assessed in accordance with international conventions to which Turkey is a party.

There should be trainings provided in regular intervals on international refugee law, gender and SOGIIC towards migration experts conducting RSD interviews and these trainings should be provided in coordination with LGBTI organizations.

Trainings on discrimination, gender and SOGIIC should be provided for the DGMM staff (including interpreters and security officers). During registration, there should be a safer environment provided for LGBTI refugees where they can express their own experiences and where privacy should be respected.

There should be an effective combat against violations inflicted by state actors; and administrative and criminal investigations should be conducted without impunity.

Trainings provided for the UNHCR, ASAM and HRDF staff on discrimination, sexual orientation and gender identity should continue.

All interpreters working in UNHCR and DGMM should be provided with necessary trainings on LGBTI terminology in their own languages.

Within this framework, the dialog and collaboration must be established between LGBTI organizations and public institutions and the Parliament.



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