

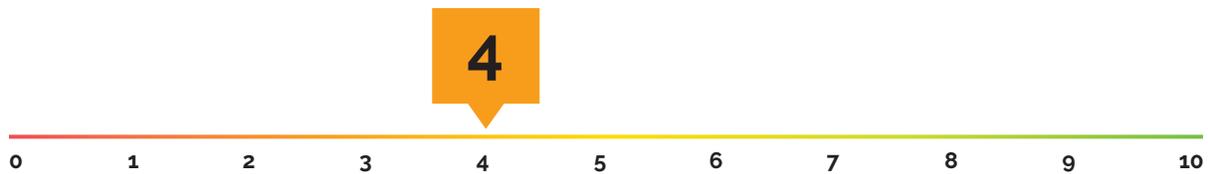


TURKEY

LGBT+ Business Climate Score

Out Leadership's snapshot of the current state of affairs for LGBT+ people, through the lens of international business.

The business Climate Score rating is out of ten possible points, and is based on ten independently verifiable indicators of the legal, cultural and business context for LGBT+ people.



1. Are consensual homosexual acts between adults legal?	1 <i>Yes</i>	6. Is sex reassignment surgery at birth for intersex children prohibited?	0 <i>No</i>
2. Is marriage or civil unions for same-sex couples available?	0 <i>No relationship recognition</i>	7. Are sexual orientation and gender identity discrimination in employment prohibited?	0 <i>No</i>
3. Is being LGBT+ punishable by death?	1 <i>No</i>	8. Is there a US State Department warning against travel for LGBT+ individuals?	1 <i>No</i>
4. Are sexual orientation and gender identity discrimination in the provision of goods and services prohibited?	0 <i>No</i>	9. Do companies sponsor Pride or other means of promoting LGBT+ visibility?	0 <i>No</i>
5. Can transgender people legally change their gender markers?	0.5 <i>Yes, but surgery is required</i>	10. Are there laws prohibiting freedom for assembly or speech for LGBT+ people (i.e. "Anti-propaganda" laws, media gags, etc)?	0.5 <i>No, but in practice events are being banned</i>

How to Use This Brief

As a business leader, you have the opportunity to create change for LGBT+ people around the world – both within your organizations and in the countries where you do business. This brief provides valuable information to inform your conversations with:

Internal Staff: Ensure that staff at your company who do business in-country are aware of the laws and other regulations that impact LGBT+ people there, and that they've adopted the appropriate internal policies for their location.

Government Leaders: In your meetings with government leaders, particularly those focused on business expansion or diplomacy, we encourage you to bring up the information shared in this brief in an appropriate way, and help them understand how LGBT+ inclusive policies are part of your company's best practices, and acknowledged as global standards. You are the best person to judge whether you have the ability to have such a conversation with a local leader in an appropriate way. Your Government Affairs officer, Diversity & Inclusion head, or equivalent may be appropriate to include in these conversations.

In-country Business Partners: In conversations with business partners, when appropriate, ask them what they're doing to address LGBT+ inclusion, and help explain why inclusion positively impacts your ability to conduct business there.

Talking Points

"The ongoing ban on LGBT+ events in Turkey, most notably of Istanbul's Pride parade, has a dampening effect on LGBT+ rights and community that make it hard for me to relocate LGBT+ staff there."

"Turkey's incremental legislative progress on LGBT+ rights – banning the sterilization requirement for gender marker changes and ditching the humiliating medical exam for gay men seeking a military service exemption – is encouraging. But the country still has far to go on LGBT+ rights, starting with comprehensive anti-discrimination laws."

"President Recep Tayyip Erdogan has tightened his grip on power since a coup attempt in 2016, including a crackdown on free speech and other civil liberties. This more restrictive environment harms LGBT+ people's ability to advocate for themselves without fear of reprisal."

"Given conservative estimates that put Turkey's LGBT+ population at between 4 and 6% of the overall population, legalizing gay marriage and outlawing anti-LGBT+ discrimination would allow 3.2 to 4.7 million people to more fully participate in the country's social, cultural, political, and economic life."

Current Legal Status of LGBT+ People

Legal Status of the Lesbian, Gay, and Bisexual Community

Consensual same-sex relations have been legal in Turkey since 1858.

But same-sex marriage is illegal. A poll in 2015 showed that just 46% of Turkish people support some legal recognition of same-sex couples.

LGBT+ people cannot serve openly in the military. Gay men must either stay closeted or come out to be exempt from military service, along with sick and disabled people. Prior to 2015, gay men had to provide photos of themselves having gay sex and undergo a humiliating exam to obtain the exemption.

Current Legal Status of LGBT+ People

Legal Status of the Transgender and Gender-Diverse Communities

Historically, changing a person's gender marker was legal, but required the applicant be 18 years old, unmarried, apply for permission in court, have surgery and undergo sterilization. The high court in Turkey recently held that requiring sterilization was unconstitutional.

Transgender people in Turkey face discrimination when trying to access healthcare, education, housing and work.

Government Statements and Actions

Starting in 2015, Turkish authorities began forbidding various events supporting the LGBT+ community, including the Istanbul Pride parade, banned for four straight years. Hundreds of people attempted to participate nonetheless in June 2018, but they were dispersed with rubber bullets and tear gas.

In November 2017, the Ankara governor's office banned all public LGBT+ events in the province indefinitely, citing public safety risks.

Additionally, in June, 2018, authorities in Ankara banned the screening of movie "Pride," a 2014 dramedy with LGBT+ themes, citing risks to public safety.

Human rights attorneys report that LGBT+ are discriminated against in the legal system – suspects in crimes against LGBT+ people often avoid arrest or receive reduced sentences relative to the severity of the crime: perpetrators seek reduced sentences based on 'unjust provocation.' There is no protection for LGBT+ people under Turkish law.

A crackdown on LGBT+ events in the country and continuing absence of marriage equality didn't stop the Turkish ambassador to Poland from signing on to an open letter in July 2018 supporting LGBT+ rights there.

Socio-cultural Environment of LGBT+ People

Status of LGBT+ Organizing and Community

A gay pride parade was held in Istanbul from 2003 to 2014, when an estimated 100,000 people participated. Since then, Turkish authorities have banned the gay pride parade and have used tear gas and rubber bullets to disburse participants.

There has been a transgender pride parade organized in Istanbul for the past nine years, though authorities have banned it since 2016.

Cultural Views of the LGBT+ Community

A 2015 poll found that 27% of the Turkish public was in favor of legalizing same-sex marriage, 19% preferred civil unions, 25% were against any legal recognition for same-sex couples and 29% were undecided.

Between 2010 and June 2014, at least 41 LGBT+ people in Turkey were murdered. In 2016, Turkey had the highest transgender murder rate in Europe.

Turkey left Eurovision in 2012 in protest of a revamped scoring system. But in 2018, the general manager of Turkey's state-run television station said that things like "the bearded Austrian who wore a skirt" is keeping the nation from returning. He was referring to Conchita Wurst, the drag queen who won the contest in 2014.

Impact of LGBT Discrimination on Business & Talent



BRAND RISK **MODERATE**

Brands are not officially penalized for supporting LGBT+ rights, but the government applies unofficial pressure to deter it. Socially, given entrenched homophobia there, it's better to err on the side of caution.

CLIENT RISK **LOW**

Known as a relatively open and secular society in the region, there is little risk to existing business attached to working with or in Turkey.

TALENT RISK **MODERATE**

The ongoing clampdown on LGBT+ visibility and the lack of marriage equality or discrimination protections makes it moderately risky to relocate LGBT+ talent to Turkey.

MARKETING RISK **MODERATE**

In a country where under 30% of the population supports legalizing same-sex marriage, marketing to the LGBT+ community carries some risk.

Local Leaders Advocating for LGBT Equality

Out Leadership encourages you and your company to engage in safe and cautious discussion with local leaders around LGBT+ equality and to leverage your firm's influence to support their work.

This brief was vetted by Turkish LGBT+ organization KAOS GL and by an analyst from Human Rights Watch.

To learn more about how your business can work toward influencing change in Turkey for LGBT+ people, we recommend contacting global organizations including: Human Rights Watch, OutRight Action International, and Amnesty International.

Purpose

Multinational companies face operational and reputational risk when they do business in countries where the legal and/or social atmosphere makes it difficult for LGBT+ people to live openly. Discrimination against LGBT+ people creates serious challenges for talent mobility, retention, and development.

Out Leadership's LGBT+ CEO Business Briefs seek to help C-Suite leaders understand and respond to these risks. Secondly, these Briefs seek to inform and empower corporate executives to engage in conversations with trade officials and other local stakeholders about why discrimination against LGBT+ people negatively impacts their ability to do business.



Additional Resources

2016 International Gay and Lesbian Association State Sponsored Homophobia Report

This report contains a country-by-country analysis of anti-LGBT laws and policies around the world.

2016 Human Rights Watch World Report

This report contains a country-by-country analysis of human rights concerns for 2014, and includes specific information pertinent to LGBT issues.

Special Thanks

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Pro Bono Legal Partner

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