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Detailed account of the recent case of police violence against transgender women in Ankara¹

Silvan Agius
Lilit Poghosyan

Account of the attack and arrest (17-18 May 2010)

On 17 May 2010, at around 10:30pm, five transgender women – Buse, Selay, Turkan, Eser and Yesim² – all human rights activists in Pembe Hayat (Pink Life),³ were in a private car on their way to a friend's house. As they passed through Bağlar Street they drove past a police car. The police followed them, overtook them and dangerously blocked the street in front of Seyranbağlari Post Office in the Esat District.⁴ In the meantime another police car blocked the rear of the transgender women's car, effectively bringing their car to a halt. There were four police officers, two officers in each car.⁵

The five women asked the police what was wrong and why the police officers were blocking their way. The response of the police was that the transgender women had to leave their car and be taken to the police station.

The women insisted that they had the right to know the reason for the arrest, but no lawful reason was provided to them. Instead, the police accused them that they were on their way to do sex work – even though this is not a crime in Turkey, and the police had no proof to back their accusation. The transgender women invoked their right to freedom of movement and offered to show their identity cards⁶ to the police in order to be allowed to continue their journey. However, the police insisted that they leave the car and threatened the women that if

¹ Recorded in Ankara during 20-23 May 2010. This report is based on the accounts of the five transgender women who were in the car that was raided by the police, and a number of activists who gathered around the car to provide their support as well as reports by Ankara based LGBTT organisations Pembe Hayat and Kaos GL. For further information contact Silvan Agius silvan@ilga-europe.org / Lilit Poghosyan lilit@ilga-europe.org

² The official names of these women are Bülent Kılıçkaya (Buse), Derya Tunç (Selay), Deniz Küçükkoçak (Turkan), Nehir Ulus (Eser), and Duru Tatlıoğlu (Yesim) and all of them have blue ID cards that reflect their gender as male. All these women are Pembe Hayat human rights activists and work as sex workers.

³ An organisation based in Ankara working for the elimination of all forms of discrimination, violence, and hate crimes against lesbian, gay, bisexual transsexual and transvestite people (LGBTT). <http://www.pembehayat.org/>

⁴ The transgender women claim that the police drove very dangerously and were about to cause them a traffic accident.

⁵ These police officers know these transgender women very well as they had arrested and fined them on a number of occasions. Many police officers also know the transgender women both by their chosen female name and official male name on their ID cards.

⁶ In Turkey, citizens are expected to carry an identification document with them at all times.

they were not going to instantly leave the car, the Balyoz police⁷ were going to be called to the scene.

Following this exchange, the transgender women were determined not to leave the car and called Pembe Hayat's lawyer, as well as other activists for support and to act as witnesses. The women also video recorded the actions of the police on their cell phones.

On their part, the police brought reinforces from Balyoz and other sections, rising in number to around 15 police officers, leaving the transgender women blocked in the car to a state of panic and fear.

By 11:10 pm, around 25 activists and friends had arrived on the scene, and a police tow truck arrived in order to tow the transgender women's car at around the same time. As the driver of the tow truck was positioning the truck, he made it clear that he had no intention to tow the car until the 5 women who were inside it were removed. At this stage the police tried to reach an agreement with the transgender women, demanding them once more to leave the car, but the transgender women refused as they feared that they were going to be physically ill-treated.

While these negotiations were taking place, the number of police officers surrounding the car rose rapidly to around 60 (half of whom were in plain clothes).⁸ Similarly, the number of activists had also risen to around 40. The police sprayed tear gas towards the activists and around the car, and began to beat the assembled Pembe Hayat and Kaos GL activists with their batons in order to disperse them. The police were also heard threatening the activists as they shouted, "Fagots, next time we will kill you" and similar statements.

Subsequently, the Yunus⁹ riot police officers used force to pull the transgender women out of the car. When the gas reached inside of the car, Buse opened the car window in order to be able to breath, and the police sprayed tear gas inside the car and started to roughly drag out the transgender women through the car window one by one, pulling them from their hair, throwing them to the ground and kicking them over their whole body.

According to Kemal Ördök – an eye witness and member of Pembe Hayat – prior to attacking the transgender women, the police officers had alluded to their knowledge about the women's human rights activism for transgender people. The head of police had told the women that they should follow police instructions to exit the car and that "their activism is not going to do them any good," and, "you continuously go on the streets for protests, just do it now if you can." The head of the police ordered the other police officers to specifically attack Buse, the founder of Pembe Hayat. She was subsequently attacked by 10 police officers, sprayed tear gas once more, and handcuffed.

Others were handcuffed as well and the police officers forced them to kneel on the ground by pressing onto the transgender women's hands with their feet, while they beat the women on

⁷ Balyoz is Turkish for sledgehammer. The Balyoz police team was unofficially established around 5 years ago and is said to deal with various reasons of public order. However, they are known to specifically deal with transgender women. This team is composed of 6 to 8 police officers and often tour in known prostitution areas. These police often harass the transgender women and issue them fines for various reasons, including 'disturbance of the traffic', 'disturbance of the public peace' and similar motives.

⁸ The police at the scene came from different police sections, and included the forensic, criminal, and theft sections as well as the Balyoz and Yunus teams.

⁹ The Yunus police officers are very strong. They ride motorbikes and usually comes into action to disperse violent crowds.

their heads and legs. Following this ordeal, Selay lay on the ground unconscious. All five women were then taken to a police van, visibly bruised. The transgender women could barely see what was happening around them due to the tear gas and the aggression used against them.

In the confusion, Buse¹⁰ resisted the police and ran away from their van, and 3 civilian police attacked her. The police shouted, “Use the tear gas on Buse”, and “Hit Bülent, hit Bülent”. Bülent is Buse’s male ID card name, and the police called her by this name in order to humiliate her.

As Selay is asthmatic, she fainted once more while inside the police van and the other women demanded that she is provided access to a doctor in order to prevent her having an asthma attack. The police, however, did not believe them and took no action.

According to the activists that witnessed this incident, at the end of the attack, the police asked the owned of Modika¹¹ and other nearby cafes that were open at the time to file a complaint against the transgender women.

The women were in the meantime taken to the Esat Police Station, where they arrived just before midnight. Selay fainted again. The police then threw a bucket of water at her, both to bring back her consciousness and also to reduce the emergence of additional marks on her body.

Some of the Pembe Hayat activists followed the police in two cars to the police station. Others called the police station to learn about the fate of their friends, and the police told them, “Why do you care about these? Mind your own work.”

Shortly after the arrival of the transgender women at the police station, five lawyers from Pink Life, Human Rights Foundation of Turkey and the Human Rights Association went to the station to represent the detainees. The police forces did not hinder the transgender women’s access to their lawyers, and they were gentler in the lawyers’ presence.

The women were kept waiting at the police station until 3.30am, when the police conceded to the request of their lawyers, demanding that the five transgender women be taken to the forensic doctor in order to be examined for any signs of physical abuse on their bodies. The police escorted them to the forensic doctor.

The women were finally released at around 7am – 9½ hours after the start of their ordeal. No medical assistance was provided, even though the women were severely bruised, and had erythemas on their arms, legs and around their faces. (*see pictures below*)

The reason that was provided for the women’s arrest was ‘resistance to the police’ and ‘disturbance of the traffic’. The police fined Selay, the owner of the car, 195 TL (€98,60) for

¹⁰ Buse and other members of Pembe Hayat claim that Buse was specifically targeted as she is very well known as a leading figure in the trans community of Ankara, and has on several occasions protested against police harassment and other human rights violations. She is one of the co-founded Pembe Hayat, and is also an active member of Amnesty International and other human rights organisation.

¹¹ A patisserie on Bağlar Street close to the location of the attack.

‘disturbing the traffic’. They also fined two of the transgender women 70 TL (€35,40) each for carrying copies of their identification document rather than the originals.¹²

The human rights lawyers have since filed complaints to the police station for police brutality. While on their part the Ankara police has filed a complaint against the transgender women for their alleged “resistance against police forces.”

Three days after the attack, the transgender woman were visibly very disturbed, and reported that they cannot sleep at night. They are also very anxious and visibly very tired.



Pictures of Buse and Selay (l-r) taken on Buse’s mobile phone soon after midnight while under arrest.

Fresh attacks (20 May 2010)

Three days later, on 20 May at around midnight and once more on Bağlar Street, around five teenagers attacked three transgender women by throwing long wooden sticks and stones in their direction. Luckily no one of them was hit, but they could have been severely injured.

The transgender women are sure that this attack was triggered by the police violence which legitimises violence by the rest of society, as they had never fallen victims to similar violence before.

The women did not report the case, as they have no trust in the police forces or reason to believe that their case will be taken seriously.

¹² The same police officers had accepted copies of identification documents on other occasions when they inspected the women’s documents.

ANNEX Background introduction to the situation of trans women in Ankara

Due to far reaching discrimination that renders formal employment inaccessible, virtually all trans women in Ankara are sex workers. Additionally, brothel owners refuse to allow trans women to work as sex workers in their brothel, and hence they have no other choice but to fetch their clients by loitering in the streets.

Their status as sex workers, along with their gender mismatch with the gender recorded on their official identification documents renders them very vulnerable to marginalisation, violence and abuse.

They are victims of police harassment on a regular basis, and are often fined by the police, who use the Law of Misdemeanours to fine them for 'disturbing the traffic', 'disturbing the public peace' or similar reasons.

According to these women, the number of trans sex workers in Ankara alone amounts to around 400 to 500 women.